## 1AC

### SPIKES ON THE BOTTOM

### AC – The Lorax

**There is no transcendental force behind being – humans, animals, rocks are forms of matter which exist as modes of a larger essence that is nature – the vessel of cause and effect.**

**Hanson 12** – Daniel Hansson “Unpacking Spinoza: Sustainability Education Outside the Cartesian Box” March 2012 chrome-extension://cbnaodkpfinfiipjblikofhlhlcickei/src/pdfviewer/web/viewer.html?file=http://www.jsedimensions.org/wordpress/wp-content/uploads/2012/03/Hansson2012Updated.pdf

Spinoza’s epistemic approach is simple yet profound. In a famous letter from 1665 to Henry Oldenburg, the first Secretary of the Royal Society (Letter 32, in Curley, 1994, Spinoza explains the relationship between parts and wholes by using an organic analogy, intuitively more fitting than a machine analogy when we describe a complex, natural system.6 **Spinoza asks the reader to conceive a**n imaginary “little **worm living in the blood” of a larger organism**. **This worm is so tiny that it is able to distinguish by sight the individual “particles of** the **blood**” and how these particles bounce into each other, “communicate part of their motion, and so on” (ibid). Spinoza explains that because of this experience, **the worm would have a worldview very different from our own:** Indeed, **it would live in this blood as we do in this part of the universe**, **and would consider** each part of **the blood as a whole, not as a part**. **Nor could it know how** all **the parts of the blood are restrained by the** universal **nature of** the **blood**, and compelled to adapt themselves to one another, as the universal nature of the blood requires, so that they harmonize with each other in a certain way (ibid). In other words, **the worm is unable to see the bloodstream in itself as a ‘whole**’ (a unified system), **and** even less **to recognize the whole body containing the blood as being a ‘whole’ in itself**. **The perspective of the observer** (the worm) **has thereby determined what is viewed as parts and wholes**. In contrast to the worm, **we** ourselves **would consider the blood to “have the nature of a part and not of a whole**” (ibid). According to Spinoza, “**all bodies in Nature” have to be understood in the same way** – from a contextual and relational perspective: “everybody... must be considered as a part of the whole universe, must agree with the whole to which it belongs, and must cohere with the remaining bodies” (ibid). Therefore, **proper knowledge of any individual thing must be based on contextual understanding**, including the recognition of how we organize the world around us as ‘parts’ and ‘wholes’ **– entities that are constructed by our limited mind,** **seeking to structure our experience** in comprehensible patterns, labeled to organize our perceptions in the form of sense-making units.7In his letter, Spinoza explains that **a complete understanding** of what we today would call a complex system **would require knowledge of all interrelations that** unify the parts of that system internally and at the same time with the rest of the universe. Since each individual “thing” in itself is conditioned by countless causes external to itself, **we can never know** – and even less, in the Cartesian sense quantify – all of them.8 Instead, **we need to understand the relative** (but not arbitrary!) **nature of ‘parts’ and ‘wholes’**. In Spinoza’s view, **this** relativity **depends** **on** **scale** **and observational vantage point**. We perceive something as a ‘part’ of a larger ‘whole’ when we experience the ‘whole’ as an integrated unit within which the component ‘parts’ coexist in a state of perceived mutual harmony. **The ‘whole’ is** therefore **a** more or less **imaginary unit** constructed by our cognitive process.9 And when we perceive that something is not sharing a mutual harmony with its surrounding environment, then we recognize this thing as a separate individual, distinct from the contextual background. Therefore it is a ‘whole’ in itself and not a ‘part’ of its surrounding context (which is perceived as a separate ‘whole’ or collection of ‘wholes’ in relation to the given thing).

#### An assemblage can engage in the world only with the features it possesses, characterized by conatus – an inherent drive towards self-preservation. Identity emerges as a site of experimentation – difference becomes the grounds for our shared singularity.

**Sharp 11** – Hasana Sharp, (2011) Assistant professor of philosophy at McGill University. “Spinoza and the Politics of Renaturalization,” The University of Chicago Press, pp. 132-139

Whereas Hegel’s Phenomenology of Spirit concerns spiritual (geistige), human beings, Spinoza’s Ethics begins with a treatment of existence as a whole. Based upon a characterization of substance (nature or God), its attributes, and their modifications, Spinoza makes specific claims about human life. Human phenomena, problems, and experiences must be ex- amined within a general portrait of nature. Desire is no different. Like Hegelian desire, Spinozan **desire exists within a relational field and is** fully **actualized** only **with** favorable **relations**. Yet Spinoza maintains a different understanding of the relationships that contour desire and power, which results in a broader view of the forces and connections essential to agency. Assimilating Spinoza to a neo-Hegelian political program mutes the fun- damental insight of the politics of renaturalization: human striving is undermined insofar as we apprehend ourselves as different in kind from the rest of nature. **The striving to persevere** in being **is the “essence**” or “nature” **of each** and every **singular thing**. “Each thing, as far as it can by its own power, strives to persevere in its being [in suo esse persevere conatur]” (E III p). A singular thing might be an idea, an artifact, or an organism. Each being aims not to exist simpliciter but to persevere in its determinate way. **To strive to be, even as a table, is to exert some kind of effort to be this table. A table does not yearn to approximate tableness but rather perseveres by virtue of a unique arrangement among its parts that effectively preserves its integrity amidst the many other ambient bodies**. **Conatus**, Spinoza’s notion of essence (III p), **names the singularity of beings**, a force of existence **unique to each thing, which accounts for the infinite diversity of finite things in nature**. Such striving should not be understood, as Matheron contends, as an abstract concept of bodily motion. **Conatus is not** simply **a mechanical**, inertial **movement that stops only when contradicted by an opposing force** (Ep ). **Conatus names a power of self-organization**, self- maintenance, and **striving to preserve one’s distinctness amidst infinitely many other singular beings.** It is the principle of conatus that endows Spi- noza’s metaphysics with a vitalistic element and makes it irreducible to simple mechanism. One’s conatus constitutes an intrinsic determination, which is not communicated from the outside by external, finite beings. Conative striving in living organisms is a desire for life, yet Spinoza as- serts that it is not reducible to a biological function (TP .). Each strives to be in a singular rather than a generic way. Thus, we strive not simply to be alive but to be alive as a distinctive power of mind and body. Nevertheless, within Spinoza’s relational ontology, t**he singularity of each essence does not entail that the conatus is the exclusive cause of a being’s perseverance**. **To remain this table or this body, one must maintain a constant flow of exchanges with** myriad ambient **beings** (E III ppostIV). **One must perpetually mutate in order to remain what one is**. Moreover, Spinoza notes that “**the power** [potentia] **of each thing**, or the striving [co- natus] by which it (either alone or with others) does anything, or strives to do anything . . . **is** nothing but **the** . . . actual **essence of the thing**” (E III pd; emphasis added). Beings act and strive “either alone or with others.” **Our most fundamental power to be cannot** ultimately **be separated from the concurrent forces of other beings**. It is for this reason that the concept of “transindividuality,” described in chapter , is particularly apt for Spinoza. We are complex singular beings whose agency is not ultimately isolable. **The striving of a given being** is irreducible to that of any other and yet **would not exist without infinitely many others**. Rather than designating a solitary agency, conatus indicates a basic power of individuation that re- mains ineluctably situated within a relational field. A thing, for Spinoza, always perseveres in being and maintains its integrity amidst and by virtue of many other beings. As mentioned above, conatus implies that a thing cannot be self- opposed in essence: “**No thing can be destroyed except through an external cause.**”

#### Conflicting affective drives within conatus cause a chaotic state of nature that produces endless egoist violence. We must re-naturalize agency as a site of constant experimentation – a unique but miniscule part of nature.

**Sharp 3** – Hasana Sharp, (2011) Sharp is an assistant professor of philosophy at McGill University. “Spinoza and the Politics of Renaturalization,” The University of Chicago Press, pp. 7-15

¶ There are practical and theoretical reasons, however, that argue for the critical alternative of renaturalization. As mentioned, Spinoza contends that regarding ourselves as special beings inflames odium. **Understand-ng humanity as vulnerable to the same determinations as beasts, rocks, and vegetables facilitates social harmony and political emancipation. Only when we consider ourselves to be constituted by our constellations of relationships and community of affects can we hope to transform the forces that shape our actions and characters.** When we regard ourselves as beings within nature, we affirm the passionate basis of activity and respond more effectively and knowledgeably to harms, sorrows, and threats, as well as to pleasures, joys, and promises. **Avowing humanity as part of nature entails** understanding individu- als as beings with complex histories, exposed to many diverse bodies and minds, and ever **open to forming new compositions with ambient forces**. Nature, on Spinoza’s model, is not opposed to history. A Spinozist can agree with the notion that man is a historical being, while insisting that history is not the product of overcoming nature. History is not a progres- sive spiritualization of nature, where humans, through working together, come to master, bring under control, and “interiorize” biological need, instinct, and other “external” elements of our existence. **Nature**, for Spinoza, **names the necessity of ongoing mutation and the inescapability of dependence among finite beings**. Rather than serving to prescribe the en- telecheic unfolding of a thing’s essence, Spinoza’s **nature affirms the vari- ability intrinsic to relational existence. To be a relational being is to undergo a history of constitutive affections and transformations in response to encounters with other beings, human and nonhuman.** The mutable aspect of Spinoza’s notion of nature underscores that renaturalization is not necessarily incompatible with denaturalization. Spinoza’s analysis of scripture as a natural rather than a supernatural ar- tifact suggests significant overlap with a denaturalist approach, insofar as it involves revealing the sociopolitical genealogies of what appears to be given. Among other things, Spinoza recommends studying the original language in which it was written, the precise meanings of the idioms at the time they were recorded, who the particular audience was, and the political circumstances the stories aim to address (do they pertain, for ex- ample, to just or oppressive conditions?) (*TTP* .). Renaturalizing scrip- ture does not produce a naturalistic ideology whereby its decrees appear eternal, necessary, and immune to challenge. On the contrary, Spinoza’s approach calls much of its authority into radical question. Given that most of ancient Hebrew is lost, interpretation of scripture is necessarily partial and ought to be responsive to new knowledge about ancient peoples and languages. Being natural means being situated within a particular time, place, and causal nexus. The encounter between reader and text, a complex meeting of composite individuals, engenders still further effects to be explored and understood, if always incompletely. Spinoza’s naturalism, likewise, shares with Marxism and feminism an emphasis upon the relational character of existence, while offering some practical guidance for negotiating life within a causal community. Marx- ism and feminism focus on the institutional and ideological character of social relations, but Spinoza presents a broader perspective that includes our relations with all of nature. The virtues of an extrasocial perspective, as I see it, are as follows: **renaturalization combats voluntarism more ef- fectively than a denaturalizing approach, which, as a variant of social con- structivism, implies that social artifacts are products of human actions and institutions. The core thesis of renaturalization is the radical redefinition of human agency as part of nature. Spinoza refuses to distinguish between natural and social forces, or mental and physical determination. Renaturalization differs from many approaches to social construction in that it does not aim to revolutionize consciousness alone or to relabel ob- jects that once appeared natural as social (i.e., effects of human agency). Rather, it is a practical theory that seeks the nonhuman forces operating within everything we think is ours, or our own doing.** ¶That is, **renaturalization maintains that there is an irreducible power of external causes, within and without each of our bodies**. The constitutive aspect of nonhuman powers points to the second major advantage of a renaturalist approach: anti-anthropocentrism. Denaturalization and so- cial constructivism meet criticism from an ecological perspective for pro- moting an anthropocentric worldview in which everything appears to be a human artifact. Nevertheless, many environmental thinkers confirm, with this very criticism, an opposition between humanity and nature. Although Spinoza has been an inspiration for ecological thought, “nature” must not be understood to imply whatever is nonhuman. It should already be clear that Spinoza challenges all of our usual distinctions between mind and body, “man” and nature, culture and wilderness, artifice and adaptation. As long as we keep in mind that cyborgs, landfills, and leviathans are just as natural as tides, forests, and flocks of birds, I hope to contribute to the ecopolitical ambition to rethink nature. In an epoch that threatens envi- ronmental catastrophe and mass extinction, we must marshal theoretical resources for thinking and speaking about nonhuman nature, in political as much as in ethical theory. Not only do we have obligations to nonhu- man nature, we have reasons to amplify the power of nonhuman nature. Our collective power, our politics, depends upon becoming a part of na- ture differently. For the politics of renaturalization, our agency, persever- ance, and pleasure depend upon affirming and nourishing the nonhuman in and outside of ourselves. The relations that matter to our intellectual and our corporeal well-being are far from exclusively human. Rather than merely defending Spinoza’s concept of nature against the denaturalist accusation that invocations of “nature” are oppressive— something that can perhaps too easily be done—this book explores the emancipatory promise of the politics of renaturalization. In the end, ad- mittedly, any concept of nature is a blunt tool that is only as valuable as its effects, its ability to generate other concepts and tools that fortify our ability to think and act (*TIE* §§–). In an age that continues to view human existence as an “empire within an empire” (*E* III pref), however, critical political thought urgently needs a sense of freedom compatible with our character as corporeal, affective, and sensuous beings, invariably embedded in relations with other beings, human and nonhuman. From a contemporary perspective, however, much of what I have said may not sound especially political. Contemporary political theory is over- whelmingly concerned with questions of justice and legitimation rather than with ontological accounts of what kinds of beings we are. Normative political theory, for good reasons, is also wary of deriving political prin- ciples from nature or metaphysics. Contemporary debates occur largely within the categories of normative political and moral thought, which per- tain to conventional human practices and the criteria for just procedures within institutions that engender and regulate what Hegel calls “ethical life.” As a result of this powerful philosophical tradition, we lack a sophis- ticated political language to address either our own naturalness or our relationship to nonhuman nature. The discourse of animal rights, for ex- ample, succeeds, to the limited extent that it does, by arguing for the ex- tension of the definition of humanity to include a tiny elite of nonhuman animals in the sphere of moral concern and juridical standing. There are, simply put, no words flowing in mainstream currents to express a poli- tics of intimacy, power, and connection with nonhuman forces, even with those nonhuman companions to which we have profound attachments and bonds. It has been argued that Spinoza’s philosophy is free of normative ele- ments. Although it is true that there is no room in Spinoza’s politics for a conception of rights separable from their exercise, presenting his thought as a radically antinormative program or a thoroughgoing critique of juridi- cal power is not my project. Moreover, despite his notorious critique of the separation of right and power, Spinoza’s practical philosophy involves an affirmation of the necessity of both (provisional) morality and juridical politics, but the precise approach to political institutions of legitimation in his political treatises is highly complex and somewhat elusive. While I often refer to the political treatises for support, my study emphasizes the political implications of the naturalist ontology in the *Ethics.* My consid- ered conviction is that the normative and juridical lens in contemporary political theory needs to be supplemented and challenged by what I call an “impersonal” perspective. Although I do not mean to claim that it repre- sents the totality of Spinoza’s political philosophy, throughout the book I develop an impersonal perspective on ethics and politics. His philosophy provides resources for unsettling the presumptions of “personal politics” and thereby altering current debates in feminist and critical theory. Hegel claims that the “commandment of right” is to “be a person and respect others as persons.” “Person” for Hegel is a technical term that re- fers to the “capacity for rights” through which human individuals and so- cieties represent themselves as free and equal. Rather than representing a simple recognition of a given, essential human freedom, personhood for Hegel is a historical achievement, possible only in “postconventional” so- cieties. Persons are equal precisely because modern institutions and ways of life liberate them from natural determination, allowing them to grasp the universal aspects of their selfhood. Recognition of oneself and others as persons involves knowledge of those so recognized as finite and infinite at once, as natural beings who can nevertheless sustain the radical infin- ity of self-consciousness. When we achieve consciousness of ourselves as moral agents through juridical representation, we grasp ourselves as per- sons rather than as things. Personhood is a normative rather than a purely descriptive category. It designates how we ought to see ourselves and others in order to recog- nize one another as free beings. With the notion of personhood we rep- resent ourselves as freed of natural determination and thereby morally responsible for our actions. Not only, then, are we persons rather than things, we are rational and not merely human. Whereas *human* names a biological organism, person, strictly speaking, designates only rational be- ings. Children and the cognitively impaired who cannot will their actions in accordance with universal rules are not persons, but extraterrestrials (and possibly higher animals) and corporate entities (“artificial persons”) may be. A virtue of Hegelianism is to insist that personal politics ap- proximates universality only when the multifarious social institutions and dimensions of collective life allow for inclusive and expansive rep- resentation of the diverse constituents of the social body. A collection of particularities needs to become universal. The normative function of “personhood” has force for Hegel only insofar as it also reflects powers that are actualized by some meaningful (in his time, male and propertied) portion of a community. The affirmation of personhood in oneself and others is far from the totality of ethical life for Hegel, but contemporary political philosophy nevertheless has come to preoccupy itself above all with this “moment” of politics. Personal politics, like denaturalization, is important and indispensable. Throughout this book, I often contrast Spinoza to Hegel because they are very close in some respects and mutually illuminating opponents in oth- ers. Moreover, I take neo-Hegelianism to be the best expression of norma- tive political thought today, especially from a feminist perspective. As I remark in chapter , the emphasis in neo-Hegelian politics of recognition upon the arduous and delicate intersubjective processes of establishing re- lationships of respect, equality, and sympathy among people with distinct languages, cultures, histories, and perspectives is invaluable. Likewise, the neo-Hegelian politics of recognition appreciates the psychic damage caused by oppressive sociosymbolic regimes, which cannot be captured by a theory that focuses on the just distribution of goods or the rights owed to individuals. Because, as I discuss in chapter , Hegel’s political ontology is thoroughly relational, like Spinoza’s, Hegelianism regards freedom as a complex process that cannot be understood independently of historical conditions or relations with others. Yet **personal politics is essentially antinatural. To be a person is to be free from nature, to have transubstantiated one’s animality into human- ity.** Even if personhood does not embody the totality of ethical life, neo- Hegelian political theory emphasizes the representation of humanity and personhood. Thus, Butler’s post-Hegelian politics of recognition, as she notes, returns again and again to “the question of the human.” **Personal politics cannot avoid restricting the domain of the political to an interrogation of the normative criteria that guarantee and foreclose personhood, the representation of distinctively human freedom**. Without arguing for a displacement of normative political theory—something that is as unre- alistic as it is foolhardy—I claim that an impersonal perspective opens up a new continent of political theory and practice. Indeed, to transform a phrase, I contend that the *impersonal* is political. Impersonal politics does not necessarily oppose but is different from a politics of rights and representation. Impersonal politics will not be tele- vised. Impersonal forces include those affects that circulate in the social body, enabling and constraining the powers of bodies and minds, often without anyone’s awareness or knowledge. **Impersonal politics happens, whether we are aware of it or not, but we can cultivate a practical wisdom of renaturalization by which we seek out new sources of agency, connec- tion, and energy. Rather than a politics of rights and representation, im- personal politics is a project of composition and synergy.** Let me offer an example. **A group of five hundred thousand people as- semble on the National Mall to protest a bill being considered by Congress.** They gather, sing, chant, present their signs, and socialize. **They receive disappointing media coverage and the opposed bill passes easily**. **From the perspective of strictly personal politics, the rally failed**. The demands of the protestors were not represented to a larger public, nor did they come to be reflected in the law; the contours of the legal person and mass under- standings of freedom were not altered. **From an impersonal political per- spective, however, the primary sites of concern are different. Rather than a concern with whether representations were contested or confirmed, an impersonal lens is trained upon the affects that concretely determine in- dividual and collective power. Insofar as individuals were exhilarated and forged connections pregnant with unknown futures, this event contrib- uted to the agency of those involved, engendered the basis of new forms of shared power, and thereby “succeeded.”** Such connections may not have taken the form of email addresses exchanged or future meet-ups estab- lished but may be nothing other than a coagulation of joyful affect that enabled ambient bodies and minds to think and act more effectively or, in Foucault’s words, to engage in an “art of not being governed quite so much” in their everyday lives. On the other hand, the event may have amplified sad passions, en- trenched divisions between social groups with different demands and self- conceptions, and foreclosed certain alliances that had seemed replete with possibility beforehand. Nevertheless, the affective therapy that emerges from a politics of renaturalization offers the following counsel: ¶It should be noted that in ordering our thoughts and images, we must always attend to those things that are good in each thing so that we are always determined to acting from an affect of joy. For example, if some- one sees that he pursues esteem too much, he should think of its correct use, the end for which it ought to be pursued, and the means by which ¶ it might be acquired, not of its misuse and emptiness, and men’s incon- stancy, or other things of this kind. (*E* V ps) ¶ **The practical wisdom of renaturalization depends upon an affective orientation toward joy, which indicates an augmentation in one’s power or agency.** Impersonal politics takes its point of departure from the desire to enhance one’s pleasure and power through encounters with other bod- ies and minds. **It is an affective politics that privileges enabling relation- ships, wherever they may be found, rather than particular identities or institutions. Such an orientation cannot simply be willed but must occur by virtue of myriad impersonal factors in one’s environment over which one cannot exercise sovereign control. The impersonal perspective en- courages one to be attuned to those sources of strength and vitality that generally fly below the radar of theoretical or even conscious scrutiny.** I have already noted that one of the virtues of the neo-Hegelian tradition of political theory is that it does not dismiss unconscious and affective elements of agency and ethical life as irrelevant. Yet Spinoza advocates a shift from understanding affective and psychic life in terms of represen- tation to thinking in terms of natural forces combining or combusting. Spinoza encourages an attentiveness to affect as an indication of whether and how ambient forces enhance one’s power of existing. Spinoza hopes that **each affect, whether painful or pleasurable, if considered in terms of both its natural multiplicity (*E* V p) and its “correct use,” can animate and support a “love of freedom”** (V ps). This book endeavors not only to describe but to be such an exercise in the love of freedom.

#### Thus, the standard is to promote a politics of renaturalization. Prefer additionally:

#### 1 – Pedagogy – status-quo academia imposes a fragmented Cartesian model of analysis which demands difference as currency and coopts political praxis – renaturalization is necessary to affirm difference.

**Hansson 2** – “Unpacking Spinoza: Sustainability Education Outside the Cartesian Box” March 2012 chrome-extension://cbnaodkpfinfiipjblikofhlhlcickei/src/pdfviewer/web/viewer.html?file=http://www.jsedimensions.org/wordpress/wp-content/uploads/2012/03/Hansson2012Updated.pdf

In education and many other human endeavors, a systems approach can provide a basic language for communicating effectively and meaningfully about a most fundamental subject: organized complexity in any of its myriad forms (Checkland, 1993, pp. 8, 98;Checkland, 1999, p. 48). We can call such a basic language a ‘meta-discipline’. As pointed out by Peter Checkland, “systems thinking” (in the widest sense) can function as a meta-discipline: What distinguishes systems is that it is a subject which can talk about the other subjects. It is not a discipline to be put in the same set as the others, it is a meta-discipline whose subject matter can be applied within virtually any other discipline (Checkland, 1993, p. 5).Because of its multi-dimensional nature and inherent complexity, sustainability requires such an organizing, conceptual language beyond the confines of any single discipline. Without an appropriate meta-level of communication, ‘sustainability’ is often degraded to a catch-all buzzword devoid of epistemic precision, pedagogic power, and practical utility. At this point, it must be noted that the comprehensive systems theories and methodologies of the twentieth century have failed in the role as universally applicable and widely accepted meta-disciplines. One of them is General Systems Theory (Checkland and Scholes, 1999, p. A3; Jackson, 2000, p. 100). In part, this failure can be explained by the fact that a conceptual meta-language needs to have an intuitive directness and relative simplicity that makes it useful as a facilitator of understanding across artificial boundaries. To make sense to teachers and students alike, theory and method must be ontologically grounded and epistemically justified. In short, our methodology and the theory behind it must both be rooted in a philosophy explaining “what is” and how we can gain true knowledge about things in the world. Considered as a meta-level facilitator of understanding, Spinoza’s systems philosophy provides an onto-epistemic foundation for the individual systems-based disciplinary approaches that are essential to sustainability education. When this systems philosophy is taught as a meta-discipline explaining the systemic organization of nested ‘parts’ and ‘wholes’ in the world; then concepts from other systems-based disciplines and interdisciplines (including specific methodologies) are allowed to coexist functionally within a unified epistemic framework. This framework is based on a view of the world as an integrated, complex ‘whole’ that is knowable not by means of reductionism but through awareness of functional interrelations. A universal framework of this kind is one of the fundamentals of a transdisciplinary approach unconfined by any single disciplinary conceptual framework (or any synthesis of such frameworks produced by interdisciplinary integration).Grounding Transdisciplinarity in Spinoza In higher education, profoundly discipline-transcending integration is rare indeed. Instead, most course- and program offerings with “interdisciplinary” aspirations remain multi-disciplinary (in the sense of adding parts from multiple disciplines without conscious, “organic” integration among them). According to this definition, ‘interdisciplinarity’ is greater than the sum of the parts (disciplines; disciplinary concepts). ‘Multi-disciplinarity’, on the other hand, is equal to the sum of parts. ‘Transdisciplinarity’, finally, is also, just like ‘interdisciplinarity’, greater than the sum of conceptual parts, but representing a degree of integration that is profound, inclusive, and systematic.17 This unification mirrors the seamless integrity of complex systems. It also conveys a kind of understanding that, in Spinoza’s words, “follows the order and connection of things” which in reality are organized in nested structures of relative ‘parts’ and ‘wholes’ (Ethics, Part II, Proposition 7).According to Basarab Nicolescu (2002, p. 44),transdisciplinarity concerns that which is at once between the disciplines, across the different disciplines, and beyond all disciplines. Its goal is the understanding of the present world, of which one of the imperatives is the unity of knowledge. With this definition, the degree of cross-disciplinary integration increases from multi- to interdisciplinarity, culminating in transdisciplinarity where “disciplinary” aspects of understanding are considered as more or less limiting constructs vested with lesser or greater epistemic utility in relation to the undivided body of reality (the total structure of all ‘parts’ and ‘wholes’). As Erich Jantsch (1980) observed, this integrative endeavor is of greatest needbecause “an intricately interconnected reality is a whole which cannot be described by the sum of its disciplinary aspects, just as no real system may be described by the sum of its parts”. The displaced application of the Baconian-Cartesian method to educational administration has resulted in fragmentation separating the practitioners of individual academic disciplines into camps. Spinoza’s alternative to reductionism, however, could facilitate transdisciplinary integration and sustainable problem solving across cultural divides. Being among the first to use the term coined by Jean Piaget in the 1970s (Bourguignon, 1997), Erich Jantsch called ‘transdisciplinarity’ “a key notion for a systems approach to education” (1970, p. 414; italics in original). In the same publication, Jantsch also foreshadowed today’s emerging ideal of sustainability in education: It is important to understand the quest for knowledge as a form of interaction between living systems and their environment, no less essential than, say, breathing or feeding, and in the same sense subjective and objective at the same time In this paper, I use the term ‘transdisciplinarity’ in the same vein: as a rather open label-concept for a practical approach to knowledge considered as a unified body, transcends the artificially imposed boundaries of the academic disciplinary structure; an integrative approach that requires a well-developed and articulated meta-level of communication which in itself is not limited by disciplinary confines. The purpose of this meta-disciplinary level of communication is to facilitate a meaningful dialogue about the simultaneously subjective and objective nature of systematically organized ‘parts’ and ‘wholes’; subjective in the sense of being perspective-dependent (as discussed above), and objective in the sense of conveying understanding of reality with maximum accuracy. Sustainability is a discipline-transcending concept. The recognition of this fact has recently contributed to the growing interest in transdisciplinary approaches(Thompson Klein, 2004).In my courses and workshops, individual disciplines contribute conceptual tools, such as models and terminology, organized within a wider, transdisciplinary scope. I have found that Spinoza’s philosophy provides epistemic integration and justification for such an approach, as well as a pedagogic “blueprint” for problem solving beyond disciplinary and cultural confines. In the context of sustainability education, Spinoza’s “worm’s-eye approach” to ‘parts’ and ‘wholes’ can function as a meaningful and practically useful epistemic meta-context for individual elements of disciplinary knowledge, understood as parts of a larger, in reality undivided whole. Thereby, this philosophy can provide the missing key to understanding our present sustainability crisis.

#### 2 – Infinite Regress – a non-natural ethic contains an infinitude of parts, each of which is infinitely reducible and have individually relevant characteristics. That constantly begs the question of what truly grounds the world and makes facts-of-the-matter impossible – only our framework can resolve this by relying on a fundamental and irreducible substance.

#### 3 – Serial policy failure – only the politics of renaturalization can reject the liberalist demand for a conforming subject in favor of a radical body politic, unified by a shared feeling of the political.

**Sharp 4** – Hasana Sharp, (2011) Sharp is an assistant professor of philosophy at McGill University. “Spinoza and the Politics of Renaturalization,” The University of Chicago Press, Pp 181-183.

**Discussion, discord, and listening produce what the deliberative body is seeking, something no one previously considered. Rather than the identical character of each person’s fundamental yearning, deliberation exposes what the general approval determines to be useful.** If we recall, Spinoza defines utility as what enables one to be affected and to affect others in a great variety of ways (E IV p). Large assemblies are valuable, as I argued in chapter , because **being moved and moving others require corporeal proximity. Forces and energies need to combine and act in excess of the particular imaginings, desires, and volitions of the individuals involved. A space of conflictual speaking is liberating not only because we may come to respect the powers of other reasoners and find our moral agency confirmed**. It might liberate **because other bodies and minds are the only possible source of our own power.** We think only because others think (homo cogitat not ego cogito); we act only because others act. **As parts of nature, our powers are synergetic combinations with other natural forces. The collective basis of any activity confirms the enabling aspects of our unavoidable dependency. Even if we are diminished** and disabled **by hatred and oppression, we manage to think and feel otherwise only by forming and fortifying alternative constellations of affect. Black does not become beautiful because those in power agree that it is beautiful. Rather, black is beautiful because a group articulates and proliferates the words, feelings, institutions, and practices that erode the destructive forces institutionalizing the antithetical proposition.** An oppressed person cannot simply see the truth in the claim that black is beautiful but must join herself to those other counterpowers to engender new ways of being. **At an exhilarating march, regardless of whether any new adjustments to the universal are achieved, protestors will feel beautiful**. They will feel that their presence engenders joy and power in others and be strengthened by the recursive effect of the passionate exchanges. A successful march, then, is one that feels good, connects agents to one another, and thereby produces a circuit of empowerment. For the politics of imperceptibility, the agency constituted at such an occasion is limited as long as we measure success by either the index of humanization or the representations of the oppressed in the Other. Imperceptible politics, as Grosz articulates it, does not have a particular end in view, other than seeking vitality, connection, and sharing of power in terms other than those prescribed by the dominant order. The politics of imperceptibility, as a particular expression of the project of renaturalization, may not, in my view, entail a wholesale revision of what counts as political practice. **Even public deliberation, the realm of politics that is most often viewed in terms of intersubjectivity, recognition, and communicative action as the dialogical generation of rationality, can fruitfully be considered an open- ended project of vitality and discovery** . Just as public deliberation has been central to neo- Hegelian politics, **consciousness- raising has been a core practice of feminist and black liberation movements**. Consciousness- raising might seem anathema to a theory that decenters self- consciousness and intersubjectively derived truth. As it is conventionally understood, consciousness- raising coincides neatly with the commitments of the politics of recognition to mitigate self- loathing. Catharine MacKinnon describes consciousness- raising as an intersubjective practice aimed at engendering a positive identity. She cites Sheila Rowbotham approvingly: “In order to discover its own identity as distinct from that of the oppressor, [an oppressed group] has to become visible to itself.” MacKinnon associates feminist liberation with becoming visible to oneself and others through a process of mutual selfclarification and group identification. Group identification engenders solidarity and new sources of self- esteem. **Women find validation in other women who can recognize their contributions to society as meaningful, necessary, and world- sustaining. The method of discussing women’s quotidian lived experience reveals patriarchy** (a systematic form of “identity invalidation” for women) **to be the source of their feelings of inadequacy**. The moral regeneration this feminist technique promoted resembles the aims of the politics of recognition. **Consciousness- raising aims to attenuate self- loathing, produce solidarity and self- esteem, and generate a more accurate apprehension of oneself and other oppressed women**. It aspires to see through patriarchal social conventions and undo the psychic mutilation they have wrought. **The ultimate goal is to restore to women their moral agency as persons, eroding the conditions that maintain women as objects**. It is unsurprising that “[t]he analysis that the personal is political came out of consciousness raising.” Grosz’s plea for **an impersonal politics of bodies and natural forces may seem utterly alien to consciousness-raising**. And it is contrary to such a practice as it is traditionally understood. Grosz would likely share the sus- picions that Wendy Brown articulates with respect to feminist efforts to unveil the “‘hidden truth’ of women’s experience.” An impersonal politics inspired by Nietzsche might have little more than contempt for a project that institutes a unitary female experience armed with Truth against pa- triarchy, a regime of distorting lies. Nonetheless, **we might approach the practices around consciousness-raising from an impersonal perspective. Consciousness-raising among liberation groups involves gathering to speak, listen, and argue, as well as to plan public actions like marches, boycotts, campaigns, institutional reform, and sometimes more radical acts of sabotage,** etc. **An assembly of the oppressed might be reimagined as a collective production of powers, linkages, and transformations. Assembling to think and act with others who desire to live, feel, and experi- ence themselves otherwise might find a place as an experimental process grounded in little more than the yearning to generate a counterpower**, a new arrangement of corporeal forces, and alternative sources of plea- sure and agency. Such consciousness-raising will not endeavor to recog- nize one another’s experiences as analogous, or our relationships to the social structure as interchangeable. It will not be an effort to recognize “who we are.” Rather, a politics of impersonality might focus on what we desire. Following Grosz and Spinoza, impersonal politics takes its point of departure from the desire to enhance our pleasure and power the only way it can be done: together. It is an affective politics that seeks enabling relationships, wherever they may be found. An impersonal politics that endeavors to renaturalize rather than hu- manize the oppressed does not necessarily invalidate traditional feminist or antiracist practices of resistance, even as it reimagines and approaches them with new criteria of success. **As renaturalists, we do not aim primarily to be understood and valued by our fellows. We pursue strength, affinities with other vital forces, and alternative futures.** A politics of imper- ceptibility, like **the politics of renaturalization, begins from the insistence that human existence is within and not above nature. We depend upon and affect innumerable forces, human and nonhuman. The measure of our agency that is determined by other’s perceptions may be significant, but it is hardly the totality of our power and freedom. Preoccupation with our need to be seen as who we really are may be self-defeating. If our identities are constantly being revised, reinterpreted, and experienced differ- ently in response to new encounters and relationships, we will often find what we never knew we were seeking**. Although Spinoza himself exhibited little concern for women, a feminist politics of imperceptibility does not need him to recognize its validity. The politics of imperceptibility siphons enabling energy and power wherever it happens to find it. **It infects and enjoins whichever beings and forces might aid in the construction of a joyful insurgency against patriarchy, misanthropy, imperialism, and, yes, “~~crippling~~ self-hatred.”**

#### 4 – Cruel optimism – perseverance creates a gap between discursive regimes and actuality which create spaces of domination – only structures of affect escape our cruelly optimistic relation to 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 uses 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)).

#### 5 – Rule-Following fails – there is nothing inherent in a rule that mandates following a specific interpretation. They are always subject to interpretation by the observer, which means an objective moral rule would get interpreted differently by different agents. The only solution is to embrace the chaos of nature – our shared relationality creates mutual agreement on rules since every sensation is constituted by the same substance.

#### 6 – Our framework is not consequentialist but relational – the basis for ethics are the fluid relations that manifest in singular essence.

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“Peter must, as is necessary, conform to the idea of Peter, and not to the idea of man” (KV I). While there is no biological or spiritual basis for human distinctiveness, Spinoza prefers human association by virtue of our **relative “**similarity**”** (E III p) and our greater power to enjoy one another (IV appIX). The more similar a being is to me, he claims, the more “useful” it is. Thus, Matheron has suggested that rather than a universalist ethics, Spinoza’s is an “ethics of similitude.” In a pluralist world, **those who reject a universalist ethics might not find an ethics of similitude ap- pealing**. But let us examine the character of this similitude and the ethical practice it involves. Even if there is not one single property that unites us and excludes all other beings, **the relative similarity of our bodies makes for the greatest possible agreement** (convenientia) among us. Nevertheless, **each of us has a singular essence** (or nature), a unique ratio of motion and rest **and a distinctive striving to persevere in being** (conatus) (E III p). Desire is “the very essence of [a] man” (III ps), and “**the desire of each individual differs from the desire of another as much as the nature, or essence**, of the one differs from the other” (III pd). Spinoza notes the essential differences between a human and a horse but also between a drunk and a philosopher (he says nothing of the drunk philosopher, however). **When distinct desires come into contact with one another, they will accord more or less with one another.** Each of us desires to produce effects that enhance **and preserve** our natures**, such that those with similar natures tend to amplify each other’s power.** “Things which are said to agree in nature are understood to agree in power” (IV pd). Adequate shelter and heat in Montreal during the winter, for example, preserve my being, along with that of my child, cats, electronics, and books. What maintains our being overlaps to various extents. What we do in the shared space of my apartment fortify our minds and bodies **in complementary ways. Human needs tend to be more complicated than protection from the elements**, of course, and (albeit technically correct) it is only so helpful to think of my iPod as striving for shelter. **Conatus**, in the most general sense, **refers to a particular composition of energy persisting in a relatively stable state.** My child and cats clearly exhibit a desire to exist in determinate ways (E III ps). They aim not only to avoid death but to enjoy their characteristic pleasures and cultivate their distinctive powers. All of the small animals in my home enjoin me to develop skills of communication, nurturing, and play. My son skillfully solicits me to develop new powers (rather relentlessly!), just as my interest in stimulating laughter and affection in him (which enables me to further love myself) encourages him to grow and thrive. We are, I dare say, mutually useful to one another. My cats and I likewise mutually support each other’s vitality. Studies suggest that people who have regular contact with companion animals live longer. As much as we abuse and instrumentalize animals, there are many indications that they enjoy our company, such as the meow by which cats address humans (but rarely one another), communicating their desires for food, play, and affection. Although the suggestion that my child and I are involved in a relation of reciprocal utility is perhaps not an edifying notion, we should take note of Spinoza’s peculiar definition of utility. **Whatever so disposes the human body that it can be aff ected in a great many ways, or renders it capable of affecting external bodies in a great many ways, is useful** [utile] to man; the more it renders the body capable of being affected in a great many ways, or of affecting other bodies, the more useful [utile] it is; on the other hand, **what renders the body less capable of these things is harmful** [noxium]. (E IV p) Spinozan utility is not, therefore, the “utilitarian” notion it is often taken to be. **The notion of utility does not imply that other people are the most effective instruments for satisfying our preferences.** Useful **phenomena,** encounters**, experiences, and beings** are those that “dispose” the body so as to make it **more receptive and**, thereby, more active. Utility names a kind of corporeal involvement that renders affected beings increasingly open to the world and thereby increasingly able to affect others. According to Spinoza, the most useful relationship in my house is between my adult partner and me, since we can nourish and stimulate one another’s minds and bodies in the greatest diversity of ways. **The notion of utile echoes Spinoza’s principle establishing the relative superiority of human minds.** “The human mind is capable of perceiving a great many things, and is the more capable, the more its body can be disposed in a great many ways” (E II p). **Utility** points to the affective conditions of perception. It **names the** sensuous **receptivity and connectivity required** in order **to think and act under the guidance of reason.** The same word designates “interest” or “advantage,” because it describes the source of our activity as finite beings, ineluctably bound to one another.

#### Now affirm – The member nations of the World Trade Organization ought to reduce intellectual property protections for medicines. I’ll clarify specification in CX to avoid frivolous debates.

#### Oxford defines:

#### Member as “[a person, country, or organization that has joined a group, society, or team.](https://www.google.com/search?q=member+definition&oq=member+definition&aqs=chrome..69i57.5928j0j7&sourceid=chrome&ie=UTF-8)”

#### Nation as “a large body of people united by common descent, history, culture, or language, inhabiting a particular country or territory.”

#### [Reduce as “make smaller or less in amount, degree, or size.”](https://www.google.com/search?q=reduce+definition&sxsrf=AOaemvI1DCbsf9a06dwpw-lWNay514UzGg%3A1630770039686&ei=d5MzYf6nKeiL_Qa7kKGADQ&oq=reduce+definition&gs_lcp=Cgdnd3Mtd2l6EAEYADIKCAAQgAQQRhD5ATIGCAAQBxAeMgYIABAHEB4yBggAEAcQHjIGCAAQBxAeMgYIABAHEB4yBggAEAcQHjIGCAAQBxAeMgYIABAHEB4yBggAEAcQHjoHCAAQRxCwAzoRCAAQsAMQigMQtwMQ1AMQ5QI6BQgAEJECOgQIABANSgQIQRgAULZ4WKF9YKqMAWgFcAJ4AIABaogBxgOSAQM1LjGYAQCgAQHIAQrAAQE&sclient=gws-wiz)

#### [Medicine as “a compound or preparation used for the treatment or prevention of disease”](https://www.google.com/search?q=medicines+definition&sxsrf=AOaemvJzlxUdS8HI7qShFBUSJcsrWNPM1A%3A1630770250083&ei=SpQzYdsO7rHk2g-FmbLgDA&oq=medicines+definition&gs_lcp=Cgdnd3Mtd2l6EAMyBQgAEIAEMgUIABCABDIGCAAQFhAeMgYIABAWEB4yCAgAEBYQChAeMgYIABAWEB4yCAgAEBYQChAeMgYIABAWEB4yBggAEBYQHjIICAAQFhAKEB46BwgAEEcQsAM6EQgAELADEIoDELcDENQDEOUCOgQIABBDOgYIABAKEEM6EAgAEIAEEIcCELEDEIMBEBQ6BwgAEIAEEAo6CggAEIAEEIcCEBQ6CwguEIAEEMcBENEDOgQIABAKOgQIABANOggIABANEAoQHjoGCAAQDRAeOgUIIRCgAUoECEEYAFCdXFjde2Cwf2gGcAJ4AYABowGIAdYKkgEEMTcuMZgBAKABAcgBCsABAQ&sclient=gws-wiz&ved=0ahUKEwjb29jL1OXyAhXuGFkFHYWMDMwQ4dUDCA0&uact=5)

#### [Intellectual Property Protection is defined as “protection for inventions, literary and artistic works, symbols, names, and images created by the mind.”](https://www.upcounsel.com/intellectual-property-protection)

#### [World trade organization is “an intergovernmental organization that regulates and facilitates international trade between nations.”](https://www.google.com/search?q=world+trade+organizaiton+definition&oq=world+trade+organizaiton+definition&aqs=chrome..69i57.4429j0j9&sourceid=chrome&ie=UTF-8)

#### Intellectual property regimes biologically regulate affective relationalities 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>, recut from a fellow Spinozan – SHS KS

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?

#### IP laws prioritize uniformity and predictability as a method of homogenizing knowledge – that refuses the connections that are vital to a politics of renaturalization.

Wu 14 – Tim Wu (Julius Silver Professor of Law, Science and Technology at Columbia University). “Intellectual Property Experimentalism By Way of Competition Law”. Columbia Law School. 2014. Accessed 8/16/21. <https://scholarship.law.columbia.edu/cgi/viewcontent.cgi?article=2843&context=faculty_scholarship>

The goals of uniformity and predictability has had its clearest implications at the international level. Unlike competition law, which varies significantly between OECD nations, over the last several decades all of the IP laws have become subject to a much stronger and geographically broader web of harmonizing international agreements, on multinational, regional and bilateral levels. The general aim of these treaties is to homogenize the world’s IP regimes, reducing or eliminating geographical variation. All of the major laws are the subject of longstanding global treaties specifying minimum protections (The Berne and Paris conventions), which were fortified in 1994 by the addition of an intellectual property agreement to the World Trade Organization, and further strengthened by numerous bilateral treaties since then. And of course the World Trade Organization, unlike the informal organizations common to competition law, has the power to punish deviations from the intellectual property treaties with serious trade sanctions. The pattern can also be observed at the national level. Both in Europe and the United States the last few decades have witnessed many important measures taken to create uniformity. In the United States, a single appeals court, the Federal Circuit, has heard the nation’s appeals in patent cases since 1982 in an effort to bring greater uniformity to the patent law. Though proposals for constructing a uniform patent court akin to the Federal Circuit in the European Union have been unsuccessful so far,26 the European Patent Convention, founded in 1973, provides a common application for the prosecution of patents in each of the member states.27 In short, stronger protection of uniform rights has been the clear trajectory of the intellectual property laws over the last few decades. That tendency is sharply at odds with the predispositions of the competition laws. The dichotomy I am suggesting here is, of course, not absolute. In certain areas of the competition law, one can sense the influence of a vested rights theory, in, for example, the resistance to breakups of dominant terms, even if the economic case for doing so might be quite strong. And there are areas in IP law, like the American fair use doctrine (a judicial and scholarly favorite), which have, in fact, served as important outlets for judicial tinkering in the face of changing conditions. For example the famous Sony decision, blessing the VCR, broke with prevalent copyright doctrine, arguably as a reaction to perceived technological necessity.28 Similarly, following a decade of bad press, Congress, the courts, and the American Patent Office have begun to make adjustments with American patent law. An example is the new post-grant review process, which includes a particular provision targeted at business method patents. Nonetheless it would be hard to describe the intellectual culture of either the intellectual property laws as truly committed to experimental improvement of the law. It would be even harder to describe competition law as devoted to the protection of fundamental rights. We are left with a divergence in intellectual cultures with broad implications for just about every advanced economy in the world. IV. USING ANTITRUST FOR PATENT EXPERIMENTALISM AT THE UNITED STATES SUPREME COURT I believe there is a need for a more experimentalist approach to the intellectual property laws, and particularly to the patent laws. The law, I believe, needs better mechanisms not simply to celebrate its successes, but to correct its errors, both specific and general. One way this might be achieved is to act within the structure and institutions of the laws themselves; as just discussed, this is a project underway in certain respects. But the other path is to rely on the competition laws as a kind of oversight and adjustment mechanism for the intellectual property laws.

### Advantage

#### IP regimes push biodiversity loss over the brink.

**Pamun 14** –“PAMUN Xviii Research Report— Question Of Intellectual Property And Biodiversity” [http://asp-edu.net/pamun/pamun2013/wp-content/uploads/2014/04/OK\_EDITED\_-UNCTAD-biodiversity-and-IP-1.pdf

During the last few years, biodiversity has been lost at an unprecedented rate throughout the world in every ecosystem. According to the FAO, about 75% of the genetic diversity found in agricultural crops has been lost over the last century, and this phenomenon continues. It is imperative that we conserve agricultural biodiversity: higher biodiversity of agricultural crops helps increase yield stability and soil fertility and gives species the ability to adapt to changing conditions. High agricultural biodiversity also helps protect our health by ensuring sustainable production in medicinal plant use systems. Agricultural biodiversity loss and the present IPR legislation are inextricably tied. IPRs continue to homogenise agricultural production and medicinal plant use systems and could reduce crop variety development. Our health and our environment is negatively affected, and it is of utmost importance to conserve our agricultural biodiversity. Evolution of IPRs on biological resources As stated before, IPRs are rights to new ideas and information, which allow the creator to prevent the imitation or the commercial exploitation of his/her creations. IPRs have existed for centuries; however, the use of IPRs on living organisms such as GRs is a recent phenomenon. In 1930, the U.S. government passed the U.S. Plant Patent Act, which granted IPRs to new plant varieties with the exception of sexual and tuber-propagated plants. Other countries also extended such forms of IPRs, and in 1957, the International Union for the Protection of New Varieties of Plants (UPOV) was formed, which was established by the International Convention for the Protection of New Varieties of Plants that was signed in 1961. The convention was revised in 1972, 1978, and 1991 in Geneva, and each member state is expected to adopt laws that meet the requirements of the convention. With the latest revision in 1991, the convention recognizes new plant varieties as intellectual property and extended international PBRs. Furthermore, in 1972, the U.S. Supreme Court ruled that the patent claim made by the microbiologist Ananda Chakrabarty for a genetically engineered bacterial strain was permissible, which made it clear that anything man-made, including human genetic material, could be patentable. The legally binding TRIPS agreement in 1995 (explained in detail below) further imposed private IPRs on plant varieties, increasing the control of governments and large corporations over biogenetic resources. International Treaties and Agreements The link between IPRs and biodiversity has been shaped by numerous agreements and institutions. The Convention on Biological Diversity (CBD) and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) are the two principal agreements on this issue. Moreover, organizations such as the World Intellectual Property Organization (WIPO) and the World Trade Organization (WTO) have also become more active in dealing with this issue, and various megadiverse countries (see Major Countries Involved for definition) such as India, Costa Rica, and Mexico are passing laws in order to deal with this issue. The most important agreement on the conservation of biodiversity is the Convention on Biological Diversity (CBD), which is often regarded as the founding document of global commitment to sustainable growth. The CBD is a legally binding, multilateral treaty signed on June 5th, 1992. It has been signed by 168 nations, 157 of which have ratified the convention. The convention has three main goals: the “conservation of biological diversity”; the “sustainable use of the components of biological diversity”; and the “fair and equitable sharing of the benefits arising out of the utilization of genetic resources”. The treaty recognizes the sovereign right of states over GRs, and it also demands the respect and preservation of associated traditional knowledge at the national level. In fact, article 8(j) of the CBD states: ““Each contracting party shall [...] respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge innovations and practices”, thus recognizing the collective rights of indigenous and local communities, and encouraging member nations to follow the ABS provisions of the agreement, which aim to share GRs equitably with the indigenous communities. Moreover, to improve the implementation of the CBD, two supplementary agreements to the CBD have been signed: the Cartagena Protocol of 2002 and the Nagoya Protocol of 2010. The Nagoya Protocol (Appendix IV), which is explained in the Previous Attempts to Solve the Issue section, deals with the implementation of the third objective: fair and equitable sharing of the benefits arising out of the utilization of genetic resources. Another important legally binding agreement is the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) in 1995. All 162 members of the WTO are signatory states of the agreement. Before the TRIPS agreement was signed, IPRs were restricted within countries; however, with the national treatment article in the TRIPS agreement, every signatory state should ensure that the rights given by IPRs are applied to locals and foreigners alike. In relation to plant varieties, it is important to note that the TRIPS agreement requires that plant varieties, along with microorganisms and microbiological processes, be eligible for IPR protection. In article 27.3(b) of the TRIPS agreement, signatory member states are not permitted to exclude microorganisms and microbiological processes from patentability, and they are expected to provide protection of these new plant varieties through patents, or an “effective” sui generis system. In other words, the agreement requires an exclusive protection for plant varieties, be it in the form of patents or a new sui generis system, which the WTO decides is effective or not. Another form of protection that many developing countries are also adopting as a sui generis system is the model of plant variety protection that is provided by the UPOV Convention (PBRs), whose standards are pretty much equivalent to patent protection. Hence, the TRIPS agreement not only imposes exclusive, private IPRs on biological resources, but it also does not attempt to protect indigenous and local community knowledge. Unlike the CBD, which aims to protect TK and maintain biodiversity, the TRIPS agreement legitimizes the commercial use of biodiversity-related knowledge. However, the TRIPS agreement does require the review of Article 27.3(b)–the article that prohibits the exclusion of microorganisms from patentability and provides protection for plant varieties–which has facilitated discussion on the issues with the article (see ‘Previous Attempts’ for detailed information). It is also important to note that both agreements are highly flexible, even though they contradict each other in many aspects. Many articles of the TRIPS agreement can be used by indigenous communities to protect their interests. Article 8 allows members to protect public interest through legal measures and environmental protection could be justified as as being in "public interest". Moreover, article 27(2) allows members to exclude inventions from patentability to safeguard against "serious prejudice" to the environment. The CBD, on the other hand, ensures that it does not conflict with the implementation of any other international agreement. Article 22 of CBD states: “The provisions of this Convention shall not affect the rights and obligations of any Contracting Party deriving from any existing international agreement, except where the exercise of those rights and obligations would cause a serious damage or threat to biological diversity”. This article provides countries with a leeway; although both agreements are legally binding, countries can implement the TRIPS agreement without adhering to obligations of the CBD. Impacts of present IPR legislation Exploitation of traditional knowledge Existing IPR systems, particularly patents, increase the risk of exploitation of traditional knowledge. Existing IPRs are expensive and challenging to acquire, failing to provide local and indigenous communities incentives to protect or capitalize on their traditional knowledge even though traditional knowledge is often shared by all members of the community and passed through the generations. Commercial Exploitation of Plant Varieties and GRs The TRIPS agreement is intended to provide private IPRs on any products, be they biogenetic resources or not, in order to ensure that trade goes smoothly and corporate interests are protected internationally. In the process, the agreement provides exclusive control of plant varieties to corporations and individuals that they have patented. The privatization of IPRs as a result of the TRIPS agreement has caused commercial and industrial interests to control the resources of developing countries that are rich in biodiversity, leading to biological uniformity and in turn biodiversity loss (explained below). Besides, these private commercial interests are encroaching upon common indigenous and local community knowledge, which is another negative impact of the TRIPS agreement. Biological Uniformity The present IPR legislation causes biological uniformity because of growing private commercial interests, which directly causes biodiversity loss. Countries that extend IPRs to plant varieties will be establishing an IPR system where few corporations and individuals prohibit others from making or using the protected variety or any product containing protected genetic information, and push its production for profits. Farmers will be faced with production restrictions, while scientists will be faced with research restrictions. All in all, the present IPR legislation not only discourages the growth of new and different plant varieties, but it also restricts researchers from freely using the genetic information for research into diseases or for making new and more effective plant varieties. Hence, this reduces the availability of biodiversity and leads to the homogenization of agricultural production and plant use systems. For example, Monsanto, an agrochemical and agricultural biotechnology corporation that is facing a surge of lawsuits, is also accused of biological uniformity. It owns such a large portion of the world's cotton seed supply that cotton farmers are not given access to non-GM cotton seeds. These farmers are also not allowed to save, reuse, or even study the seeds due to biotech IPR laws, greatly hindering natural diversity.

#### Extinction.

Schelske 20 – Why managing biodiversity risk is critical for the global economy By [Oliver Schelske](https://www.swissre.com/profile/Oliver_Schelske/ip_bdeb3f), Natural Assets & ESG Research Lead, Swiss Re Institute & [Bernd Wilke](https://www.swissre.com/profile/Bernd_Wilke/ip_567f65), Senior Risk Manager, Group Risk Management Published on:23 Sep 2020 <https://www.swissre.com/risk-knowledge/mitigating-climate-risk/managing-biodiversity-risk-is-critical-for-global-economy.html>

Biodiversity and ecosystem services underpin our daily lives and many of our products and services. From the water we drink to the food we grow and the resources we use in manufacturing, we would be at a loss without Mother Nature. But from the wildfires raging in California to forest loss in the Amazon, it is clear many of these ecosystems are suffering. And as the United Nations points out in the promotion of its [2020 Biodiversity Summit](https://www.un.org/pga/74/united-nations-summit-on-biodiversity/), the COVID-19 pandemic has “further highlighted the importance of the relationship between people and nature”. “We are reminded that when we destroy and degrade biodiversity, we undermine the web of life and increase the risk of disease spillover from wildlife to people,” it says. Understanding the extent and impact of biodiversity and ecosystem decline is key to minimizing further damage, and making informed decisions that prioritise a more sustainable future. This is why the Swiss Re Institute has created the [Biodiversity Ecosystem Services (BES) Index](https://www.swissre.com/institute/research/topics-and-risk-dialogues/climate-and-natural-catastrophe-risk/expertise-publication-biodiversity-and-ecosystems-services.html). It brings together masses of data and research from scientists around the world to present a kilometre-by-kilometre view of the state of biodiversity-related ecosystem services. We can use this information to become more risk-aware, and inform sustainable future development. And this wealth of data for the first time gives insurers the possibility to adapt their future risk pricing, selection and products to reflect the evolving risks caused by the declining health of biodiversity and ecosystems. The insurance industry has begun to realise the impact of climate change and other environmental decline on risk profiles. And it has become apparent that the risks are both physical – for example, the increasing size and amount of pay-outs following hurricanes and tropical storms – as well as reputational. There is now a recognition that coal, oil and gas policies, for example, have an impact on external perceptions. But until now, there has been limited recognition or ability to quantify the changing risk profile of different locations. Swiss Re’s new tool takes us beyond the awareness stage and gives us information we can act on. As Oliver Schelske, environmental and business economist at Swiss Re Institute and co-author of the new study, explains: “Biodiversity and ecosystem services are the foundation for life. They underpin economic activity. Here, we are talking about the health of forests and other ecosystems and the plants and wildlife within them. It impacts processes like water purification, pollination and soil formation. This affects food security, fresh water, and also has cultural, religious, educational and aesthetic importance.” The index paints a grim picture. There are 39 of 195 countries with fragile ecosystems on more than 30% of their land. Among them are Malta, Israel, Cyprus, Bahrain and Kazakhstan. The risks presented by this weakening of the natural world vary country by country. And within countries too. Some economies are more dependent on ecosystem services than others – countries with high dependency on agriculture, forestry and fishing, for example, may be more at risk from a decline in the natural world. These include countries with huge and growing populations like Kenya, Vietnam, Pakistan, Indonesia and Nigeria. But while more diversified economies may feel less of a direct impact, they are far from immune. Everyone is affected by broad socio-economic vulnerabilities like food security and diversity, the ability to discover and develop new medicines, and water quality. The BES Index gives a detailed view of how the interplay of these factors affects the risk in any given location. This makes it possible for the insurance industry to incorporate biodiversity and ecosystem strengths and weaknesses into its risk selection and ultimately pricing in the future. This will make businesses and societies more resilient as they adapt and shift to make better use of resources and locations, influenced by premium prices and insurability. Bernd Wilke, senior emerging risk manager at Swiss Re and index co-author, says: “In the future the tool will allow the insurance industry to adjust and develop products and create nature-based solutions that take account of where in the world, on a square-kilometre scale, ecosystems are healthy or fragile. That information can be used to identify where to invest and where to restore.” He gives the example of property located near damaged mangroves and coral reefs, which might have higher premiums than that behind intact mangroves or reefs. These natural barriers provide crucial protection in areas that are more prone to flooding, erosion and tidal damage, and the tool can help promote identification and investment in them. Using the index can help insurers to not only make communities more resilient and better protected, but also promote the UN Sustainable Development Goals (SDGs) of Life on land, which Wilke says underpins all other SDGs. “If we don’t work with nature in a sustainable way, we don’t have the foundation for our economies and everything that depends on it,” he says. Biodiversity and ecosystem strength are particularly poignant in the midst of the COVID-19 pandemic. In fact, coronavirus could be a sentinel. All over the world, humans and animals are coming into closer contact than ever before. One of the largest potential reservoirs of future zoonotic diseases is in the rainforests of our world. And with deforestation we are making swift inroads into habitats. New roads are bringing greater connectivity to areas previously cut off. In the past, if a new disease was encountered somewhere remote it might have been days before an infected person reached the next tribe. Human expansion into wildlife areas, soaring globalisation and urbanisation, and risky nutrition.

### AFC

#### Interpretation: The negative must concede the affirmative framework if the standard is to embrace creative difference.

#### Prefer – A] Time skew – Winning the negative framework moots 6 minutes of 1AC offense and forces a 1AR restart against a 7 min 1NC – outweighs on quantifiability and reversibility – I can’t get back time lost and it’s the only way to measure abuse. B] Topic Ed – Every debate would just be a framework debate which crowds out our ability to have core debates about the topic – that outweighs – we only have 2 months to debate the topic C] Prep skew – We can’t predict every single negative framework before round but they know the aff coming into round which makes pre-tournament prep impossible – especially true since there are millions of K’s and NC’s that could negate.

#### Drop them on 1AC theory – skews put me at an unrecoverable disadvantage from the outset. Use competing interps on 1AC theory – the negative has 7 minutes to answer the shell, and you can’t reasonably concede my framework. No RVIs – you’d read a counter-interp for 7 minutes of the NC and the debate would end right there.

### Underview

#### 1 – Yes 1AR theory – anything else means infinite abuse – drop the debater, competing interps – 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 – IPP unjustifiably restricts agents from setting and pursuing ends in healthcare because patents prevent people from taking part in scientific advancements in medicine – that violates freedom in multiple ways

**Hale 18** – Zachary Hale, 4-4-2018, accessed on 8-22-2021, The Arkansas Journal of Social Change and Public Service, "Patently Unfair: The Tensions Between Human Rights and Intellectual Property Protection - The Arkansas Journal of Social Change and Public Service", <https://ualr.edu/socialchange/2018/04/04/patently-unfair/>

Although the right to the protection of “moral and material interests resulting from any scientific, literary, or artistic production,”[32] is a human right as defined in the UDHR and the ICESCR, the current system of intellectual property protection conflicts with and even violates rights that are considered to be fundamental to human life. Although intellectual property instruments are certainly used to violate essential civil and political freedoms like the freedom of expression, and economic and social freedoms like the freedom to share in the scientific advancements of society, the most blatant violations of human rights caused by intellectual property protection occur in the fields of nutrition, healthcare, and culture.[33] Of these essential entitlements, the rights to food and health are made even more significant by their relationship to the most fundamental of all human rights: the right to life.

#### 3 – IPP is inconsistent with free market principles

**Kinsella 11** – Stephan Kinsella, 5-25-2011, accessed on 8-23-2021, Foundation for Economic Education, "How Intellectual Property Hampers the Free Market | N. Stephan Kinsella", <https://fee.org/articles/how-intellectual-property-hampers-the-free-market/>

But are they? There are good reasons to think that IP is not actually property—that it is actually antithetical to a private-property, free-market order. By intellectual property, I mean primarily patent and copyright. It’s important to understand the origins of these concepts. As law professor Eric E. Johnson notes, “The monopolies now understood as copyrights and patents were originally created by royal decree, bestowed as a form of favoritism and control. As the power of the monarchy dwindled, these chartered monopolies were reformed, and essentially by default, they wound up in the hands of authors and inventors.” Patents were exclusive monopolies to sell various goods and services for a limited time. The word patent, historian Patricia Seed explains, comes from the Latin patente, signifying open letters. Patents were “open letters” granted by the monarch authorizing someone to do something—to be, say, the only person to sell a certain good in a certain area, to homestead land in the New World on behalf of the crown, and so on. It’s interesting that many defenders of IP—such as patent lawyers and even some libertarians—get indignant if you call patents or copyright a monopoly. “It’s not a monopoly; it’s a property right,” they say. “If it’s a monopoly then your use of your car is a monopoly.” But patents are State grants of monopoly privilege. One of the first patent statutes was England’s Statute of Monopolies of 1624, a good example of truth in labeling. Granting patents was a way for the State to raise money without having to impose a tax. Dispensing them also helped secure the loyalty of favorites. The patentee in return received protection from competition. This was great for the State and the patentee but not for competition or the consumer. In today’s system we’ve democratized and institutionalized intellectual property. Now anyone can apply. You don’t have to go to the king or be his buddy. You can just go to the patent office. But the same thing happens. Some companies apply for patents just to keep the wolves at bay. After all, if you don’t have patents someone might sue you or reinvent and patent the same ideas you are using. If you have a patent arsenal, others are afraid to sue you. So companies spend millions of dollars to obtain patents for defensive purposes. Large companies rattle their sabers or sue each other, then make a deal, say, to cross-license their patents to each other. That’s fine for them because they have protection from each other’s competition. But what does it do to smaller companies? They don’t have big patent arsenals or a credible countersuit threat. So patents amount to a barrier to entry, the modern version of mercantilist protectionism. What about copyright? The roots literally lie in censorship. It was easy for State and church to control thought by controlling the scribes, but then the printing press came along, and the authorities worried that they couldn’t control official thought as easily. So Queen Mary created the Stationer’s Company in 1557, with the exclusive franchise over book publishing, to control the press and what information the people could access. When the charter of the Stationer’s Company expired, the publishers lobbied for an extension, but in the Statute of Anne (1710) Parliament gave copyright to authors instead. Authors liked this because it freed their works from State control. Nowadays they use copyright much as the State originally did: to censor and ban books. (More below.) IP, American Style The American system of IP began with the U.S. Constitution. Article 1, Section 8, Clause 8 authorizes (but doesn’t require) Congress “To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.” Despite modern IP proponents’ claims to the contrary, the American founders did not view intellectual property as a natural right but only as a policy tool to encourage innovation. Yet they were nervous about monopoly privilege, which is why patents and copyrights were authorized only for a limited time. Even John Locke, whose thought influenced the Founding Fathers, did not view copyright and patent as natural rights. Nor did he maintain that property homesteading applied to ideas. It applied only to scarce physical resources. Granted, some state constitutions had little versions of copyright before the American Constitution. (See Tom W. Bell, Intellectual Privilege: Copyright, Common Law, and the Common Good, part 1, chapter 3, section B.1.) On occasion, the language of natural rights was used to defend it, but this was just cover for the monopolies they granted to special interests. Natural rights do not expire after 15 years. Natural rights are not extended to Americans only. Natural rights wouldn’t exclude many types of innovation and intellectual creativity and cover only a few arbitrary types. And what is the result of this system? In the case of patents we have a modern statute administered by a huge federal bureaucracy that grants monopolies on the production and trade of various things, which means holders may ask the federal courts to order the use of force to stop competitors. But the competitors have not done anything that justifies force. They merely have used information to guide their actions with respect to their own property. Is that compatible with private property and the free market?

#### 4 – Presumption and permissibility affirm –

#### A] Statements are true before false since if I told you my name, you’d believe me.

#### B] Epistemics – we wouldn’t be able to start a strand of reasoning since we’d have to question that reason.

#### C] Illogical – presuming statements false is illogical since you can’t say things like P and ~P are both wrong.

**D] Presuming obligations is logically safer since it’s better to be supererogatory than fail to meet an obligation.**

**E] Affirming is harder because u can up-layer for 7 mins in the NC.**

**F] Presuming statements false is impossible since we can’t operate in a world where we don’t trust anything.**

**G] To negate means to deny the truth of, which means if there isn’t offense to deny the truth of you should affirm.**

**F] Otherwise we’d have to have a proactive justification to do things like drink water.**

**H] If anything is permissible, then definitionally so is the aff since there is nothing that prevents us from doing it.**

#### 5 – Ought is defined as “used to express obligation”.

(https://www.merriam-webster.com/dictionary/ought)