# 2NR

#### Society, currently governed by notions of state power in a borderline-militaristic-stance sees people as ‘good’ and ‘other’, the good being the population that fits under certain standards and other heteronormative binaries. These binaries make it clear to the queer that they are unwanted in society and that the state is actively working to get rid of them, as the only way that the state gets legitimacy is saving the “pure” “good” society from the “dirty” “other”. Sadly, the only way to end this cycle of oppression is to actively resist the state – not just reject it, but resist it in riot. We must work to reject the debilitation and slow death that is imposed onto queer bodies. Thus the alternative is to refuse the police state radically (around the world ofc) and deconstruct the oppression that is upon us and upon the queer bodies of our world.

1— links are disads to the perm

2— perms doesn’t solve

what does the world of the permutation look like:

World of the perm isn’t that the aff passes and then the alt can go thru — it’s not that this is a singular instance under the antiqueer social order and that such order is dismantled post aff

Perm means that aff is passed which upholds the antiqueer social order and that the alt is hard to do from there, people won’t be willing to go for them

Aff is a unique and required instance of an impact that needs to be solved - attaching too much importance to something else - non-sensical, if you’re going to ignore structural violence now you’ll ignore it later. — EVERY SINGLE TIME, every instance of a politician saying magnitude first, there is not a way

3—perm is severance – you’ll be severing out of your reps or your links to the K which is bad

Defending the alt – politicians not caring is exactly what we have to solve for – by making the government more open and making the government something that will listen to people .

1]— expansion of foreign policy - don’t defend it that it is is everyone, rather that foreign policy decision making is more uniquely constructed, less rash - heads of different institutions…

2]— endorsement of cultivation of movements - unification of movements - rejection of the current social order is the way that this unification of happens - -- this means that the rejection the alt discusses is exactly

#### Legal reforms fail – the state already unjustly prejudices against queers. Lamble ‘11

[Transforming Carceral Logics: 10 Reasons to Dismantle the Prison Industrial Complex Through Queer/Trans Analysis and Action]kitkat

Queer, trans, and gender-non-conforming people have been historically subject to oppressive laws, gender policing, and criminal punishment—a legacy that continues today **despite ongoing legal reforms**. Law enforcement officials (including police, courts, immigration offers, prison guards, and other state agents) have a long history of targeting, punishing, and criminalizing sexual dissidents and gender-non-conforming people.12 While many overtly homophobic and transphobic laws have been recently overturned in Canada, the United States, and Britain, the criminalization and punishment of queer and trans people extends well beyond formal legislation.13 **State officials enable or participate in violence against queer, trans, and gender-non-conforming communities by (a) ignoring everyday violence against queer and trans people; (b) selectively enforcing laws and policies in transphobic and homophobic ways; (c) using discretion to over-police and enact harsher penalties against queer and trans people; and (d) engaging in acts of violence, harassment, sexual assault, and discrimination against queer and trans people.**14 While some police departments are increasingly putting on a “gay-positive” public face, the problem of state violence against queer and trans people nonetheless persists and has been well documented by numerous police- and prison-monitoring groups.15 Tis ongoing legacy of violence should make queer and trans people both cautious of the state’s power to criminalize our lives and wary of the state’s claim to protect us from harm. Although **some people believe that we can train transphobia out of law enforcement agents or eliminate homophobic discrimination by hiring more LGBT prison guards, police, and immigration officials, such perspectives wrongly assume that discrimination is a “flaw” in the system, rather than intrinsic to the system itself.** Efforts to make prison and police institutions more “gay-friendly” perpetuate the myth that such systems are in place to protect us. But as the uneven history of criminalization trends in Canada, the United States, and Britain so clearly demonstrate (that is, the way that the system targets some people and not others), the prison industrial complex is less about protecting the public from violence and more about controlling, labeling, disciplining and in some cases killing particular groups of people—especially those who potentially disrupt the social, economic, and political status quo.16 While the state might stop harassing, assaulting, and criminalizing some people within queer and trans communities (namely those upwardly mobile, racially privileged, and property-owning folks), the criminal system will continue to target those within our communities who are deemed economically unproductive, politically threatening, or socially undesirable. As people who have historically been (and continue to be) targeted by this unjust system, queer, trans, and gender-non-conforming communities must move away from eforts to make the prison industrial complex more “LGBT-friendly” and instead fght the underlying logic of the system itself. 2. **Queer, trans, and gender-non-conforming people, particularly those from low-income backgrounds and communities of color, are directly targeted by criminalization, punishment, and imprisonment.** We do not know exactly how many queer, trans, and gender-nonconforming people are currently incarcerated. Tis is partly because most governments do not collect information on the sexual and gender identity of prisoners and partly because prisoners are not always safe to disclose their gender or sexual identities. However, we know that queer, trans, and gender-non-conforming people in Canada, the United States, and Britain are frequently over-policed, over-criminalized, and over-represented in the prison system.17 Levels of harassment, targeting, and arrest are high, particularly for young queer and trans people, those from low-income communities, people with learning disabilities and mental health issues, and people of color. Trans community organizers in the San Francisco Bay Area, for example, report that nearly half of the 20,000 transgender people in the region have been in prison or jail.18 Queer, trans, and gender-non-conforming people are funneled into the criminal system for many reasons but primarily due to systemic oppression. Because trans, queer, and gender-variant people experience widespread discrimination, harassment, and violence, we are at greater risk of social and economic marginalization. Tis translates into higher risks of imprisonment. We know that queer and trans youth, for example, are more likely to be homeless, unemployed, bullied at school, harassed on the street, estranged from family, and targeted by sexual violence—factors that greatly increase the risks of criminalization and imprisonment especially for queer and trans people of color.19 Trans people in particular, and those who are visibly gender-non-conforming, are routinely harassed by law enforcement and security ofcials for undertaking basic daily activities like using the toilet, accessing public services, or walking down the street.20 Groups like FIERCE! have shown how the “school-to-prison-pipeline” disproportionately afects queer and trans youth.21 Whether dropping out of school because of severe harassment and discrimination, feeling alienated from education curriculum, experiencing suicidal thoughts, or turning to criminalized coping mechanisms like drug and alcohol use, queer and trans youth often have less chances for success in school.22 “Zero tolerance” policies, heightened surveillance, and increased police presence in schools further contribute to criminalization and dropout rates, particularly for queer and trans youth of color. “**Quality of life” ordinances, such as “anti-social behavior orders” and “safe streets acts,” are also routinely used to remove queer and trans youth from public spaces and criminalize their social activities**.23 Coupled with problems at home, many queer and trans youth fnd themselves homeless and unemployed.24 Once on the street, queer and trans youth have trouble accessing services and supports to get their basic needs met. Many homeless shelters and social services, for example, are not safe places for trans people (sometimes banning trans people outright), and problems with gender categories on identity documents can restrict welfare access.25 Without income, housing, family, or community support, survival often means working in criminalized economies like drug and sex trade. Queer, trans, and gender-non-conforming youth who are bullied, harassed, and assaulted—particularly those who don’t ft the stereotype of the passive, innocent, white victim—**are blamed and punished when they defend themselves.** Te recent case of the New Jersey 7, in which seven young African American lesbians were criminalized for defending themselves against sexist and homophobic harassment, provides a case in point.26 Given that criminalization and imprisonment both arise from, and further exacerbate, experiences of social marginalization and oppression, eforts to address queer and trans homelessness, unemployment, suicide, school dropout rates, harassment, and abuse cannot stop short of prison issues.

#### Extinction is already visited upon the queer – those subject to overkill are not lived – uniquely outweighs extinction. Stanley ‘11

[Stanley, E. (2011). Near Life, Queer Death. Social Text, 29(2), 1–19. doi:10.1215/01642472-1259461 ]kitkat

The queer, here Rashawn Brazell, Lauryn Paige, or Scotty Joe Weaver, is forced to embody to the point of obliteration the movement between abject nothingness at one end—a generality that enables queers to be killed so easily and frequently—and at the other end, the approximation of a terrorizing threat as a symbol of shattering difference, monstrosity, and irreconcilable contradiction. This fetishistic structure allows one to believe that queers are an inescapable threat and at the same time **know that they are nothing**. According to Lum Weaver, Scotty Joe’s older brother, Gaines had always had “issues” with Scotty Joe’s homosexuality. As in the majority of interpersonal antiqueer violence, the attackers knew, and in this case even lived with, their target. The murder of Weaver must be read as a form of intimate violence not only because of the relationship the murderers had to Weaver, but also, and maybe more important, because of the technologies of vivisection that were deployed. As Kelsay, Gaines, and Porter had, according to testimony, at least a week to plan the murder, it seems logical that, during that time in rural Alabama, they could have produced a gun that would have made the murder much less gruesome. However, the three decided to cut and rip Weaver to pieces using raw force. The psychic distance that may be produced through the scope of a hunting rifle, and the possible dissociation it might provide, is the opposite of blood squirting from your former roommate’s chest and the bodily strength it takes to lunge a knife into the flesh and bone of a human body. The penetrative violence, the moments when Gaines was thrusting his knife into Weaver’s body, stages a kind of terrorizing sexualized intimacy. **If Weaver was at once so easy to kill, and at the same time so monstrous that he had to be killed, this intimate overkill might also help us to understand why antiqueer violence tends to take this form.** Weaver was, after all, the roommate and “best friend” of one of his killers. However, at the same time, robbing him would not be enough, killing him would not be enough, the horror of Weaver’s queerness forced his killers to mutilate, decapitate, and burn his body. This tender hostility of ravaging love and tactile brutality may be an opening for the task of facing the question scribed on the bathroom wall, “What if it feels good to kill or mutilate homos?” The disavowal of the queer threat through a murderous pleasure signals a much more complicated structure of desire and destruction. This complex structure of phobia and fetishism, not unlike the pleasure and pain Kelsay might have experienced as she helped slaughter her “best friend,” asks us to consider antiqueer violence outside the explanatory apparatus that situates all antiqueer violence on the side of pure hate, intolerance, or prejudice. Affective Remains Weaver’s body, bound in gasoline-soaked fibers, partially decapitated, charred, and pummeled beyond death, as remainder of a queer life, rep- Social Text 107 s Summer 2011 13 resents what kind of sociality is (not)lived before such a death. There has been in the recent past an important and understandable drive in critical and artistic production to articulate the various forms of vitality that congeal below the surface or outside the orbit of the fully realized promise of personhood. This desire is at least in part a wish for a way of understanding what Audre Lorde has called, in her exacting ability to place us at the scene, “**the deaths we are forced to live**.”31

Link on extinction

Link on everything else

They concede our ROTB – which means that you want to endorse whoever wins that who best deconstruct queer violence the better 🡪 good b/c we don’t have to justify anything moral repugnant

Weighing or smth. Hope I don’t forget.

# 1NC

## 1

#### Interpretation: The aff must defend that member nations reduce intellectual property protections for all medicines

#### Violation: They specify medicines for novel pandemics

#### The upward entailment test and adverb test determine the genericity of a bare plural

Leslie and Lerner 16 [Sarah-Jane Leslie, Ph.D., Princeton, 2007. Dean of the Graduate School and Class of 1943 Professor of Philosophy. Served as the vice dean for faculty development in the Office of the Dean of the Faculty, director of the Program in Linguistics, and founding director of the Program in Cognitive Science at Princeton University. Adam Lerner, PhD Philosophy, Postgraduate Research Associate, Princeton 2018. From 2018, Assistant Professor/Faculty Fellow in the Center for Bioethics at New York University. Member of the [Princeton Social Neuroscience Lab](http://psnlab.princeton.edu/).] “Generic Generalizations.” Stanford Encyclopedia of Philosophy. April 24, 2016. <https://plato.stanford.edu/entries/generics/> TG

1. Generics and Logical Form

In English, generics can be expressed using a variety of syntactic forms: bare plurals (e.g., “tigers are striped”), indefinite singulars (e.g., “a tiger is striped”), and definite singulars (“the tiger is striped”). However, none of these syntactic forms is dedicated to expressing generic claims; each can also be used to express existential and/or specific claims. Further, some generics express what appear to be generalizations over individuals (e.g., “tigers are striped”), while others appear to predicate properties directly of the kind (e.g., “dodos are extinct”). These facts and others give rise to a number of questions concerning the logical forms of generic statements.

1.1 Isolating the Generic Interpretation

Consider the following pairs of sentences:

(1)a.Tigers are striped.

b.Tigers are on the front lawn.

(2)a.A tiger is striped.

b.A tiger is on the front lawn.

(3)a.The tiger is striped.

b.The tiger is on the front lawn.

The sentence pairs above are prima facie syntactically parallel—both are subject-predicate sentences whose subjects consist of the same common noun coupled with the same, or no, article. However, the interpretation of first sentence of each pair is intuitively quite different from the interpretation of the second sentence in the pair. In the second sentences, we are talking about some particular tigers: a group of tigers in ([1b](https://plato.stanford.edu/entries/generics/#ex1b)), some individual tiger in ([2b](https://plato.stanford.edu/entries/generics/#ex2b)), and some unique salient or familiar tiger in ([3b](https://plato.stanford.edu/entries/generics/#ex3b))—a beloved pet, perhaps. In the first sentences, however, we are saying something general. There is/are no particular tiger or tigers that we are talking about.

The second sentences of the pairs receive what is called an existential interpretation. The hallmark of the existential interpretation of a sentence containing a bare plural or an indefinite singular is that it may be paraphrased with “some” with little or no change in meaning; hence the terminology “existential reading”. The application of the term “existential interpretation” is perhaps less appropriate when applied to the definite singular, but it is intended there to cover interpretation of the definite singular as referring to a unique contextually salient/familiar particular individual, not to a kind.

There are some tests that are helpful in distinguishing these two readings. For example, the existential interpretation is upward entailing, meaning that the statement will always remain true if we replace the subject term with a more inclusive term. Consider our examples above. In ([1b](https://plato.stanford.edu/entries/generics/#ex1b)), we can replace “tiger” with “animal” salva veritate, but in ([1a](https://plato.stanford.edu/entries/generics/#ex1a)) we cannot. If “tigers are on the lawn” is true, then “animals are on the lawn” must be true. However, “tigers are striped” is true, yet “animals are striped” is false. ([1a](https://plato.stanford.edu/entries/generics/#ex1a)) does not entail that animals are striped, but ([1b](https://plato.stanford.edu/entries/generics/#ex1b)) entails that animals are on the front lawn (Lawler 1973; Laca 1990; Krifka et al. 1995).

Another test concerns whether we can insert an adverb of quantification with minimal change of meaning (Krifka et al. 1995). For example, inserting “usually” in the sentences in ([1a](https://plato.stanford.edu/entries/generics/#ex1a)) (e.g., “tigers are usually striped”) produces only a small change in meaning, while inserting “usually” in ([1b](https://plato.stanford.edu/entries/generics/#ex1b)) dramatically alters the meaning of the sentence (e.g., “tigers are usually on the front lawn”). (For generics such as “mosquitoes carry malaria”, the adverb “sometimes” is perhaps better used than “usually” to mark off the generic reading.)

#### It applies to “Medicines” – adding “generally” to the res doesn’t substantially change its meaning because the res never specified further

#### Vote negative:

#### 1] Precision – they justify arbitrarily mooting words in the resolution at their own whim in order to justify some potentially good interp.

#### Semantics outweighs:

#### [a] Lexical priority – it doesn’t matter if their interp if the debate is not pertinent i.e. it might me more educational for me to study for AP physics, outweighs since the topic constrains what pragmatics are relevant.

#### [2] Precision – not defending the text of the resolution justifies the affirmative doing away with random words in the resolution which a] means they’re not within the topic which is a voter for jurisdiction since you can only vote affirmative on the resolution and this debate never should have happened, b] they’re unpredictable and impossible to engage in so we always lose

#### Drop the Debater –

#### [1] sets a precedent that debaters wont be abusive

#### [2] DTA is the same since you drop the aff

#### Voters:

#### [1] Fairness – constitutive to the judge to decide the better debater, only fairness is in your jurisdiction because it skews decision making

#### [2] Education – the only portable education from debate that we care about

#### Competing Interps:

#### [1] reasonability on t is incoherent: you’re either topical or you’re not – it’s impossible to be 77% topical, links to all limits offense

#### [2] functionally the same as reasonability – we debate over a specified briteline which is a counter interp

#### [3] judge intervention – judge has to intervene on what’s reasonable, creates a race to the bottom where debaters exploit judge tolerance for questionable argumentation.

#### No RVIs

#### [1] illogical for you to get offense just for being fair – it’s the 1ac’s burden

#### [2] baiting - rvi’s incentivize debaters to read abusive positions to win off theory

#### [3] discourages checking abuse since debaters will be afraid to lose on theory

## 2

#### The intertwined regimes of power that construct society define themselves in opposition to the queer Other that directly threatens the “good” National population. Binaries that paint the Other as the virus infiltrating the healthy population that must be located and “cured” mark queer bodies for violence and death.

Spade 2011 - Dean Spade is a lawyer, writer, trans activist, and Associate Professor of Law at Seattle University School of Law. In 2002, he founded the Sylvia Rivera Law Project, a non-profit law collective in New York City that provides free legal services to transgender, intersex and gender non-conforming people who are low-income and/or people of color (“Normal Life: Administrative Violence, Critical Trans Politics, and the Limits of Law,” South End Press) hrmb.

This way of understanding the dispersion of power helps us realize that power is not simply about certain individuals being targeted for death or exclusion by a ruler, but instead about the creation of norms that distribute vulnerability and security. When we think about power this way, we undertake a different kind of examination of conditions that concern us, asking different questions. Mitchell Dean describes how this kind of analysis attends to the routines of bureaucracy; the technologies of notation, recording, compiling, presenting and transporting of information, the theories, programmes, knowledge and expertise that compose a field to be governed and invest it with purposes and objectives; the ways of seeing and representing embedded in practices of government; and the different agencies with various capacities that the practices of government require, elicit, form and reform. To examine regimes of government is to conduct analysis in the plural: there is already a plurality of regimes of practices in a given territory, each composed from a multiplicity of in principle unlimited and heterogeneous elements bound together by a variety of relations and capable of polymorphous connections with one another. Regimes of practices can be identified whenever there exists a relatively stable field of correlation of visibilities, mentalities, technologies and agencies, such that they constitute a kind of taken- for- granted point of reference for any form of problematization.6 This kind of analysis can be seen in the work of those using “industrial complex” terms to describe and resist the forces of militarization and criminal punishment that pervade US society. It can also be seen in the work that is being done for disability justice.

Critical disability studies and the disability rights and disability justice movements have shown us how regimes of knowledge and practices in every area of life establish norms of “healthy” bodies and minds, and consign those who are perceived to fall outside those norms to abandonment and imprisonment.7 Policies and practices rooted in eugenics have attempted (and continue to attempt) to eliminate the existence of people who fall outside those norms. Native scholars and activists have shown how white European cultural norms determine everything from what property is to what gender and family structure should look like, and how every instance of the imposition of these norms has been used in the ser vice of the genocide of indigenous people. In these locations and many others, we can see how the circulation of norms creates an idea that undergirds conditions of violence, exploitation, and poverty that social movements have resisted— the idea that the national population (*constructed* as those who meet racial, gender, sexual, ability, national origin, and other norms) must be protected from those “ others” (those outside of such norms) who are portrayed again and again in new iterations at various historical moments as “threats” or “drains.” This operation of norms is central to producing the idea of the national body as ever- threatened and to justifying the exclusion of certain populations from programs that distribute wealth and life chances (white schools, Social Security benefits, land and housing distribution programs) and the targeting of these same populations for imprisonment and violence (including criminal punishment, immigration enforcement, racist drug laws, sterilization, and medical experimentation). Even though norms are incorporated into various spaces and institutions inconsistently and applied arbitrarily, they still achieve the overall purpose of producing security for some populations and vulnerability for others. Many social movements have produced analyses of how various groups are harmed by the promotion of a national identity centered in norms about race, bodies, health, gender, and reproduction. These constructs often operate in the background and are presumed as “neutral” features of various administrative systems. The existence and operation of such administrative norms is therefore less visible than those moments when people are fired or killed or excluded explicitly because of their race or body type or gender, yet they sometimes produce more significant harm because they structure the entire context of life. I am going to return again and again in the chapters that follow to key examples, such as the dismantling of welfare programs and the expansion of criminal and immigration enforcement, that are central to contemporary politics and help illustrate how life chances are distributed through racialized- gendered systems of meaning and control, often in the form of programs that attest to be race- and gender- neutral and merely administrative.

#### Furthermore, the assumptions of the west that through the spread and accessibility of medicine that it “SOLVES FOR DEATH” is one that ignores the situation of those otherized: they may not want to talk about why they got the disease, or the homosexual lives they lead and the “corrective r\*pe” that they had to go through. The West through doing this will further conflate sexual activity with sexual identity and consigns those who are homosexual to be diseased. Spurlin ‘18

[Spurlin, William J. “Queer Theory and Biomedical Practice: The Biomedicalization of Sexuality/The Cultural Politics of Biomedicine.” The Journal of medical humanities vol. 40,1 (2019): 7-20. doi:10.1007/s10912-018-9526-0]kitkat

The biomedicalization of homosexuality under National Socialism was by no means a momentary aberration as nationalist discourses in much of the postcolonial world today read homosexuality as a colonial import and as a form of western decadence that is foreign to indigenous cultural traditions. **Western biomedicine has played a role historically as a tool of imperial power.** Frantz Fanon, an early postcolonial theorist originally from Martinique who studied medicine and psychiatry in France, and served a medical residency in Algeria and became involved in Algeria’s struggle for independence, noted that medical knowledge was one of the most insidious tools of colonial conquest and contributed to the dehumanizing logic of colonial rule (1963, 296). Similarly speaking of the French colonial conquest of Algeria, Richard Keller notes in Colonial Madness that physicians, surgeons, and pharmacists saw diagnosis and treatment as a contest over civilization alongside health and disease (2007, 11). In terms of sexuality, this meant that European physicians in the late nineteenth and early twentieth centuries read Africa in particular as “a space of savage violence and lurid sexuality” (1). Largely as a result of the effects of the so-called civilizing mission of colonialism, and the remnants of homophobic laws that often have their origins in colonial administration, **HIV/AIDS sufferers in many postcolonial societies today bear the stigma of sexual deviance and moral laxity**, and **these markings have been shaped by a history of imperialism, outdated western psychiatric opinion on the etiology of homosexuality, and causal links between homosexuality and HIV/AIDS constructed by western biomedicine in the early history of the pandemic.** Yet the effects of the biomedical justification of colonial rule continue in the contemporary surveillance and tracking of HIV/AIDS by global health institutions such as the World Health Organization (WHO) and UNAIDS. As Cindy Patton has argued, the term “African AIDS,” used early in the pandemic, mobilized racist ideologies of unchecked, unbridled sexuality amongst indigenous Africans and amongst blacks in general.8 The rhetorical strategies of medical thought-styles in representations of HIV/AIDS globally, Patton notes, have been deeply layered with social ideologies around race, class, and sexuality, and have the power “to structure the terms through which bodies become visible as the locations of disease, of an epidemic” (2002, 26). Another problem with the effects of imperialism was the initial reluctance of many African nations to admit to a presence of homosexuality within their borders and even higher rates of HIV infection than were originally assumed or predicted. This was tied to **deep-seated historical anxieties** about discursive appropriations of African sexuality by the West in decadent terms, a legacy of colonialism which remains, as with the term “African AIDS,” in discourses surrounding the global surveillance and tracking of HIV/AIDS. At the same time, the reading of homosexuality as un-African by some strands of African cultural nationalism produced a significant gap for those at risk for HIV who escaped the categories of the West, given that some indigenous African men practiced anal sex with other men but did not identify as gay and lived heterosexual lives publicly, which was compounded by the fact that the WHO saw HIV transmission in Africa largely in heterosexual terms in the early days of the pandemic. **AIDS educators were not initially sensitive to the fact that anal sex has different meanings and values in different cultural systems that needed to be addressed in helping those men,** who engaged in the practice of anal sex with other men as partners, recognize that safer sex applied to them as well, even if they resisted taking on a gay identity as it is understood in the West. The adoption of the descriptive phrase “men who have sex with men,” or MSM, by the WHO’s Global Programme on AIDS provided a thinly veiled screen, or closet, at the time, not of mere secrecy but of a “safe” identity that was more legibly heterosexual but later, it was realized, no less at risk for HIV transmission or infection. The **problem with western understandings of homosexuality, initially imposed by global health organizations on indigenous men who have sex with men, was not so much the conflation of anal sex with homosexuality but the conflation of sexual practice with sexual identity**, which places Foucault’s proposition of a shift in homosexuality in the nineteenth century from a temporary aberration to an emergent identic category (1980, 42-43) even more firmly in the West. More important, such imperialist thinking missed significant forms of HIV transmission not immediately apparent to western thinking, which was based on the confluence of sexual practice with sexual identity and resulted in subsequent gaps and delays in education and prevention programs in large parts of sub-Sahara Africa early in the pandemic. **Additionally, placid assumptions in the West that the availability of anti-retroviral (ARV) medication no longer signifies eventual death for those who are HIV-positive fail to recognize that this is precisely what it does signify for the many indigenous Africans in sub-Sahara Africa dying from AIDS-related illnesses each day.** South Africa has the highest prevalence of HIV/AIDS in the world, estimated by the South African government’s statistical report of 2015 to be at about 6.19 million of its total population of 54.96 million with the highest impact of HIV/AIDS falling on indigenous African women (Statistics South Africa 2015). A report on violence against women and HIV/AIDS by the UNAIDS Coalition on Women and AIDS and the WHO points to the everyday realities of gender inequality and intimate partner violence in South Africa. It is difficult for women, particularly younger women, to negotiate condom use with intimate male partners. High rates of gender-based violence and rape often serve as barriers to women seeking HIV testing, anti-retroviral treatment, and access to services which could prevent mother to child transmission (UNAIDS Global Coalition on Women and AIDS and WHO 2005). Alarming numbers of indigenous African women who identify as lesbian experience “corrective rape” as a cure for their so-called aberrant desires, placing them at risk for HIV/AIDS as well. **Another issue pointing to the high prevalence of HIV/AIDS in South Africa is that in the late 1990s and in the early part of the last decade, some global health officials argued that those living in poverty were not literate enough to follow the prescribed regimen of treatment for taking ARV medication; this racist argument, in turn, was appropriated by western pharmaceutical companies as a rationale for not lowering the cost of the drugs so that they would be affordable to poorer South Africans, arguing that a failure to take the drugs responsibly could lead to drug-resistant strains of HIV.** The Treatment Action Campaign (TAC) in South Africa has been the most vocal and visible lobby fighting for the rights of HIV-positive people for equal access to treatment; in the late 1990s, TAC willfully ignored international trade agreements pertaining to the production, import, and use of less costly generic versions of patented ARV drugs for the treatment of HIV infection. More recently, TAC has put pressure on UNAIDS not to overstate the likelihood of ending HIV/AIDS given the deleterious effects this could have on donorship for global HIV/AIDS funding and the politics of sexual healthcare in the developing world. The French nongovernmental human rights organization, Médecins Sans Frontières/Doctors without Borders, has worked in some of the most impoverished townships in South Africa providing ARV and TB medication to those living with HIVAIDS who are facing the challenges of poverty, marginalization, and stigma. Their work defies earlier biomedical discourses on HIV/AIDS in Africa purporting that poor Africans were too uneducated to take the medications responsibly. Given South Africa’s history of disobedience, struggle, and resistance to oppressive regimes, this work calls attention to the production and distribution of power which certainly is imbricated with biomedical thinking around ARV access and pricing in the developing world. In conclusion**, if sexual desire can become a mechanism for various forms of social manipulation, how does western biomedicine continue to play a significant political role in the cultural management of gender and sexual norms? How might the relationship between the clinical and cultural spheres be better engaged in biomedical knowledge and practice**, especially around the topic of sexual health, given biomedicine’s historic failure to recognize the influence of homophobia and transphobia in, and their reproduction through, the diagnostic histories of homosexuality and GIDC, and the racial, gender, class, and sexual ideologies that constructed early readings of the HIV/AIDS pandemic in the West and in the postcolonial world? While the identification of risk groups is key for understanding patterns of disease transmission, especially in the case of HIV/AIDS in the context of sexual health, and is essential to helping people to avoid becoming ill, what social and cultural ideologies are operating in epidemiological discourses about specific risk groups and their behavior? **Where will this theorization occur?**

#### The 1AC’s apocalyptic rhetoric focuses on futurity and the importance of survival through future reproduction excluding queer people.

Kouri-Towe 13 (Natalie; 6/16/13; Assistant Professor and Program Director for the Interdisciplinary Studies in Sexuality program at the Simone de Beauvoir Institute at Concordia University; Fuse, “Queer Apocalypse: Survivalism and Queer Life at the End” <http://fusemagazine.org/2013/06/36-3_kouri-owe>) SJZD

Queer adjective • Strange, odd, peculiar, eccentric. Also: of questionable character; suspicious, dubious. noun informal • colloq. (freq. derogatory). A homosexual; esp. a male homosexual. verb informal • To put out of order; to spoil. Also: to spoil the reputation or chances of (a person); to put (a person) out of favour (with another). • To cause (a person) to feel queer; to disconcert, perturb, unsettle. Now rare. [1] The apocalypse is coming and queers are going to spoil it. As narratives of impending apocalypse and postapocalyptic survival permeate our cultural and political landscapes, it becomes increasingly easy to imagine our end. Whether the end of a sustainable environment, the end of culture, or the end of global capitalist economies, the end of life as we know it is both a terrifying possibility and a promising fantasy of a radically different form of life beyond the present. Mainstream depictions of postapocalyptic survival largely centre on the archetypical figure of the male saviour or hero, and advance a familiar patriarchal instrumentalization of women’s bodies as vessels for the survival of the human species. But what alternate stories might we tell about the end, and how might a queer framework reshape our apocalyptic narratives? The proposal to think queerly about the apocalypse is not an attempt to rescue apocalypse stories from the insidious reproduction of hegemonic relations; rather it is an opportunity to playfully consider what queer approaches to survival at the end might offer to our rethinking of the present. Apocalyptic narratives are appealing because we find it hard to imagine a radically different social and political world without the complete destruction of the institutions and economies that were built and sustained through colonial and imperial violence and exploitation. If we are already thinking and talking about the apocalypse, then queer thinking about the apocalypse serves as an opportunity for rethinking narratives of politics in both the future and the present. As global, structural, economic and political asymmetries accelerate, more people live in conditions lacking basic resources like food and water, and increasingly suffer from criminalization and incarceration. It is clear that postapocalyptic survival is also not simply a fiction but a daily reality for many people. From refugee camps to welfare reforms, survival is more than an exercise in imagining a different world. But, even for those who are not living through conditions of catastrophic loss, thinking about apocalypse is enticing. We take pleasure in imagining how we might prepare or attempt survival in a shifted environment because to imagine how we might live differently is to introduce new realms of possibility for living differently in our present. So how can we reconcile both the demand for attending to the crisis of survival in the present and the fantasy of postapocalypse? Here queerness might offer us some considerations for rethinking the apocalypse and narratives of survival. Queer Survivalism Survivalism noun • A policy of trying to ensure one’s own survival or that of one’s social or national group. • The practicing of outdoor survival skills. [2] If survivalism is wrapped up in the preservation of the nation state, of race, of gender or of our social order in general, then the first contribution of queerness to the apocalypse is its disruption to the framing of who and what survives, and how. There can be no nation in queer postapocalyptic survival, because the nation presents a foundational problem to queer survival. The nation, which regulates gender and reproduction, requires normalized organizations of sexual and family life in order to reproduce or preserve the national population. If we are already at the end, then why not consider survival without the obligation of reproduction and the heteronormative family? Masculinist narratives of postapocalyptic survival deploy the male protagonist as the extension of the nation. Here, the male hero stands in the place of the military, the police or the law by providing safety and security to his family and “weak” survivors like children and animals. Queer survivalism, on the other hand, disrupts the normative embodiments of survivalism by redirecting our desires to queer bodies, opening up survival to those outside of the prototypes of fitness and health. Because postapocalyptic narratives replicate racist and ableist eugenic tropes of “survival of the fittest,” a queering of survivalism opens up space for thinking about, talking about and planning for more varied and accessible frameworks for doing survival. Conversely, a queering of survival might also open up the option of choosing not to survive, through the refusal of reproduction or the refusal of life itself. The Queer Apocalypse Apocalypse noun • More generally: a disaster resulting in drastic, irreversible damage to human society or the environment, esp. on a global scale; a cataclysm. [3] If we are going to imagine the destruction of the world as we know it, then why not make these fictions meaningful to the present? Lee Edelman has argued that queerness is “the place of the social order’s death drive.” [4] If queerness is a kind of end to the norms and structures of our world, then it makes sense that queerness might say something meaningful about imagining the end. Narratives of postapocalyptic survival function primarily as stories of individual survival against a hostile world, and often a hostile other — in the form of dangerous strangers or zombies. These narratives privilege the individual as the basic unit for survival, replicating the neoliberal values of individualism. At best, these narratives expand beyond the individual survivor when he is joined by his immediate family or builds a new family. Queer models of kinship offer alternate frameworks for imagining survival beyond the individual, through collectivity and alternative kinships. If we are going to imagine surviving either our present or our impending futures, we need collectives to survive. This is old news to people who have long survived through collective struggle and collective support. This is not to simply produce a romantic fantasy of a utopian community, but rather to acknowledge and recognize that strength comes from organizing together. If capitalist, nationalist, patriarchal, heteronormative and neoliberal logics tell us that we’re each responsible for our own lives, then what better queering can we offer than to reimagine stories of how we think about survival, or even to refuse to survive? So what tools do we need for queer survival? First, we need alternative models for building survival strategies. For instance, learning how to repurpose everyday objects, everyday networks and everyday resources. [5] Second, we need to consider models of communalism, and to develop better ways of communicating and working through conflict. Third, we need to strategize collectively, share skills, build skills and foster collaboration. And lastly, we need to mobilize what queers do best — spoiling, twisting and perverting the normative narratives that dominate survivalism and stories of apocalypse.

#### The political praxis is reproductive futurism, and The Child is the ceaseless beneficiary of liberal democratic discourse. The Child is the constant lynchpin of all political engagement.

Baedan 12, “Baedan,” Journal of Queer Nihilism, http://theanarchistlibrary.org/library/baedan-baedan

Edelman’s critique of politics begins with the figure of the Child. All political positions, he argues, represent themselves as doing what is best for the children. Politicians, whatever their parties or leanings, universally frame their debates around the question of what policies are best for the children, who keeps the Child safest, or what type of world we want to be building for our children. The centrality of the Child in the field of the political is not limited to electoral politics or political parties. Nationalist groups organize themselves around a necessity to preserve a future for their children, while anarchist and communist revolutionaries concern themselves with revolutionary organizing meant to create a better world for future generations. Politicians concern themselves with different children depending on their varying from ideologies, but the Child stays constant as a universal Möbius strip, inverting itself and flipping so as to be the unquestioned and untouchable universal value of all politics. Politics, however supposedly radical, is simply the universal movement of submission to the ideal of the future—to preserve, maintain and upgrade the structures of society and to proliferate them through time all for the sake of the children. The Child must always name the horizon and the beneficiary of every political project. It is for this reason that Edelman contends that queerness finds itself missing from all political discourse: For the liberal’s view of society, which seems to accord the queer a place, endorses no more than the conservative right’s the queerness of resistance to futurism and thus the queerness of the queer. While the right wing imagines the elimination of queers (or of the need to confront their existence), the left would eliminate queerness by shining the cool light of reason upon it, hoping thereby to expose it as merely a mode of sexual expression free of the all-pervasive coloring, the determining fantasy formation, by means of which it can seem to portend, and not for the right alone, the undoing of the social order and its cynosure, the Child. Queerness thus comes to mean nothing for both: for the right wing, the nothingness always at war with the positivity of civil society; for the left, nothing more than a sexual practice in need of demystification. The Child, of course, has very little to do with real children. Like all people, children are enslaved under the political order of the state and capital, expected to bear the burden of being the innocent beneficiaries of political initiatives. No, rather the Child is the fantastic symbol for the eternal proliferation of class society. The Child represents the succession of generations and the continuation of this society beyond the lifespans of its living members. All politics, being concerned primarily with the Child, then reveal themselves to be only ever a process by which to manage and secure the continued existence of society. As enemies of society, we are also enemies of politics. To quote Edelman: The fantasy subtending the image of the child invariably shapes the logic within which the political itself must be thought. That logic compels us, to the extent that we would register as politically responsible, to submit to the framing of political debate—and, indeed of the political field—as defined by the terms of what this book describes as reproductive futurism: terms that impose an ideological limit on political discourse as such, preserving in the process the absolute privilege of heteronormativity by rendering unthinkable, by casting outside the political domain, the possibility of a queer resistance to this organizing principle of communal relations. If the varying discourses of politics are only ever about the Child (as society’s future), queerness must be anti-political because it marks a fundamental interruption of the societal norms and apparatuses that exist to mandate the reproduction the Child. Yes, queer sex can be non-reproductive sex, but we cannot define queerness through such overly-simple and naturalistic logics. Queerness, beyond being the negation of the heteronormative family matrix, must also be practiced as a willful refusal of the political imperative to reproduce class society. In a world where all social relations are enchanted by our obligation to the Child as the future of the social order, we must break those communal relations and break the stranglehold of politics over our daily lives. Queerness must be an outside to politics, an antagonism against the political, or it isn’t queer at all. By Edelman’s account: Queerness names the side of those “not fighting for the children.” The side outside the consensus by which all politics confirms the absolute value of reproductive futurism. The ups and downs of political fortune may measure the social order’s pulse, but queerness, by contrast figures outside and beyond its political symptoms, the place of the social order’s death drive: a place, to be sure, of abjection expressed in the stigma, sometimes fatal that follows from reading that figure literally… More radically, though, as I argue here, queerness attains its ethical value precisely insofar as it accedes to that place, accepting its figural status as resistance to the viability of the social while insisting on the inextricability of such resistance from every social structure. Queerness, as we’ll thus conceive it, is not locked in a dialectical battle of queer identity versus normative identities, nor of queer politics versus heteronormative politics. Rather our queer opposition is leveled against the false oppositions which politics always serves to represent. Queerness marks the space which is outside and against political logic. Insurrectionary anarchists are no strangers to this space. While leftist anarchists articulate their activity as politics, insurrectionary anarchy doesn’t concern itself with such abstractions. We flee from all political roles which we’re called upon to symbolize, whether those constructed by the media or by those self-appointed leaders of struggles. Unlike most other self-declared revolutionaries, we are not fighting for a utopian future (communist, anarchist, cybernetic). We are not looking for victories that will be enjoyed by symbolic children in a future society. We are not fighting for an abstract ideal. We are not creating a world, and we are not motivated by anything outside of ourselves. Our anti-political practice, our attempts at insurrection, emerge purely from the context of an awareness of our daily lives. If we speak of social war, it is because we’re experimenting with types of relationships and combat in order to attack the social order. In order to genuinely break from politics, we must develop forms of struggle that shatter the illusions with which politics are made necessary. To quote Edelman again: Politics names the social enactment of the subject’s attempt to establish the conditions for [an] impossible consolidation by identifying with something outside itself… deferred perpetually of itself. Politics, that is, names the struggle to affect a fantasmatic order of reality in which the subject’s alienation would vanish into the seamlessness of identity at the endpoint of the endless chain of signifiers lived as history. Politics is such a sinister force because it is moved by an alienation and lack rooted in society’s foundations. To remedy this ennui, individuals turn to politics to discover some universal truth to struggle for—a comfortable abstraction to fill the void in their experience. This is a paradox, of course, as this alienation is intrinsic to capitalist society, and politics can only ever reproduce that society, and therefore its concomitant misery. The fantasy of politics promises to suture one’s empty subjectivity to some abstraction outside of oneself in an attempt to find some meaning, to situation oneself within history, to really do something. Like a form of performance art, politics acts as a great representation of resistance to society, yet as mere representation remains inseparable from the symbolic order. The reality of politics is that it offers nothing; a nothingness that corresponds to the meaninglessness of social life. An insurrectionary, queer anti-politics functions to interrupt the closed circuitry of emptiness-politics-emptiness. Halting the ceaseless pursuit of a better world for the Child, our project centers itself on immediate fulfillment, joy, conflict, vengeance, conspiracy and pleasure. Rather than politics, we engage in social war. Without demands, we expropriate what we desire. Instead of representation, we rely on autonomous self-organization. We do not protest, we attack. As with our queerness, our anti-politics strives to escape political identification or ideological attachment to this or that political subjectivity. Acceding to this figural identification with the undoing of identity, which is also to say with the disarticulation of social and symbolic form, might well be described as politically self-destructive… but politics (as the social elaboration of reality) and the self (as mere prosthesis maintaining the future for the figural child), are what queerness, again as figure, necessarily destroys—necessarily insofar as this “self” is the agent of reproductive futurism and this “politics” the means of its promulgation as the order of social reality… Political self-destruction inheres in the only act that counts as one; the act of resisting enslavement to the future in the name of having a life.

#### There is a promotion of reproductive futurism to escape our insecurity in the face of nuclear threat, under a duty to a state. This nuclear risk threatens the ability for life and longevity in the status quo. Shipley ‘13

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When Jonathan Schell's The Fate of the Earth first appeared in 1982, its most talked-about passage was a graphic description of what would happen if a twenty-megaton bomb were detonated over the center of Manhattan. The ensuing account of how-a full-scale nuclear change would likely extinguish humankind along with the majority of earth's species, leaving a "republic of insects and grass," completed the **book's infernal vision**. Largely owing to this vivid thought-experiment, Schell's book helped reenergize the anti-nuclear movement in the U.S., and its cautionary portrait of a dead, irradiated planet was absorbed into mass-culture such that, read now, it chastens but does not stun. But there is a still-astonishing moment in The Fate of the Earth. This occurs in a section called "The Second Death," where Schell adopts "the view of our children and grandchildren, and of all the future generations of mankind, stretching ahead of us in time." A **nuclear extinction event, he argues, would wipe out not only the living but all of the unborn as well;** this "second death" would be the death of a longitudinal, progenerative human future, the death of the supersession of generations and thus, as he puts it, **"the death of death."**2 That we live in the shadow of the death of death, says Schell, is nowhere more apparent than in our growing ambivalence toward—and here is the surprise—marriage, an institution that consecrates a personal relationship by connecting it to the biological continuity of the species. "[By] swearing their love in public," he writes, "the lovers also let it be known that their union will be a fit one for bringing children into the world." In a world overshadowed by extinction, the biological future that endows love with social meaning begins to dematerialize, and love becomes, in response, "an ever more solitary affair: impersonal, detached, pornographic. It means something that we call both pornography and nuclear destruction 'obscene.'" Although Schell is not explicit about what forms of sexual detachment he laments here, "**The Second Death" clearly implies that any sex decoupled from biological continuity and seeking refuge in licentious, solitary, distant, or momentary enjoyment—any sex that deviates from a reproductive notion of the future—is a symptom of our nuclear extinction syndrome.** Thus when Schell, oddly quoting Auden, says that the peril of extinction thwarts "Eros, builder of cities," he doesn't need to invoke "sodomy, destroyer of cities" for a link between queerness and extinction to be forged.' By installing a reproductive futurism at the heart of his admonitory project, Schell implicitly stigmatizes as futureless anyone who stands beyond reproductivism's pale: not just the homosexual but also the unmarried, the divorced, the impotent, the childless, the masturbator, the hedonist, the celibate

#### The violence of the community and the government culminates in overkill which uniquely outweighs extinction under any utilitarian framework since it doesn’t only end the pleasure and happiness in life, it erases the previous value of life. Stanley ‘11

[Stanley, E. (2011). Near Life, Queer Death. Social Text, 29(2), 1–19. doi:10.1215/01642472-1259461 ]kitkat

Overkill is a term used to indicate such excessive violence that it pushes a body beyond death. Overkill is often determined by the postmortem removal of body parts, as with the partial decapitation in the case of Lauryn Paige and the dissection of Rashawn Brazell. The **temporality of violence, the biological time when the heart stops pushing and pulling blood, yet the killing is not finished, suggests the aim is not simply the end of a specific life, but the ending of all queer life.** This is the time of queer death, when the utility of violence gives way to the pleasure in the other’s mortality. If queers, along with others, approximate nothing, then the task of ending, of killing, that which is nothing must go beyond normative times of life and death. In other words, **if Lauryn was dead after the first few stab wounds to the throat, then what do the remaining fifty wounds signify**? **The legal theory that is offered to nullify the practice of overkill often functions under the name of the trans- or gay-panic defense**. Both of these defense strategies argue that the murderer became so enraged after the “discovery” of either genitalia or someone’s sexuality they were **forced to protect themselves from the threat of queerness**. Estanislao Martinez of Fresno, California, used the trans-panic defense and received a four-year prison sentence after admittedly stabbing J. Robles, a Latina transwoman, at least twenty times with a pair of scissors. Importantly, this defense is often used, as in the cases of Robles and Paige, after the murderer has engaged in some kind of sex with the victim. The logic of the trans-panic defense as an explanation for overkill, in its gory semiotics, offers us a way of understanding queers as the nothing of Mbembe’s query. Overkill names the technologies necessary to do away with **that which is already gone**. Queers then are the specters of life whose threat is so unimaginable that one is “forced,” not simply to murder, but to push them backward out of time, out of History, and into that which comes before. 27 In thinking the overkill of Paige and Brazell, I return to Mbembe’s query, “But **what does it mean to do violence to what is nothing?”**28 This question in its elegant brutality repeats with each case I offer. By resituating this question in the positive, the “something” that is more often than not translated as the human is made to appear. Of interest here, the category of the human assumes generality, yet can only be activated through the specificity of historical and politically located intersection. To this end, the human, the “something” of this query, within the context of the liberal democracy, names rights-bearing subjects, or those who can stand as subjects before the law. **The human, then, makes the nothing not only possible but necessary.** Following this logic, the work of death, of the death that is already nothing, not quite human, binds the categorical (mis)recognition of humanity. The human, then, resides in the space of life and under the domain of rights, whereas the queer inhabits the place of compromised personhood and the zone of death. **As perpetual and axiomatic threat to the human, the queer is the negated double of the subject of liberal democracy.** Understanding the nothing as the unavoidable shadow of the human serves to counter the arguments that suggest overkill and antiqueer violence at large are a pathological break and that the severe nature of these killings signals something extreme. In contrast, overkill is precisely not outside of, but is that which constitutes liberal democracy as such. **Overkill then is the proper expression to the riddle of the queer nothingness.** Put another way, the spectacular material-semiotics of overkill should not be read as (only) individual pathology; these vicious acts must indict the very social worlds of which they are ambassadors. **Overkill is what it means**, what it must mean, **to do violence to what is nothing**.

#### The collective resistance of the Stonewall riots is a spirit we need to recapture – embrace the mindset and radically refuse the police state is the only way to prevent the continuation of state violence towards the queer Other and the death of the revolutionary spirit

**Stanley 11** Stanley, E. A., & Smith, N. (2011). Captive genders: Trans embodiment and the prison industrial complex. Oakland, CA: AK Press.

Bright lights shattered the dark anonymity of the dance floor. The flicker warned of the danger of the coming raid. Well experienced, people stopped dancing, changed clothing, removed or applied makeup, and got ready. The police entered, began examining everyone’s IDs, and lined up the trans/gender-non-conforming folks to be “checked” by an officer in the restroom to ensure that they were wearing the legally mandated three pieces of “gender appropriate clothing.” Simultaneously the cops started roughing up people, dragging them out front to the awaiting paddy wagon. In other words, it was a regular June night out on the town for trans and queer folks in 1969 New York City. As the legend goes, that night the cops did not receive their payoff or they wanted to remind the patrons of their precarious existence. In the shadows of New York nightlife, [at] the **Stonewall** Inn, like most other “**gay bars**,” was owned and run by the mafia, which tended to have the connections within local government and the vice squad to know who to bribe in order to keep the bar raids at a minimum and the cash flowing. As the first few captured queers were forced into the paddy wagon, people hanging around outside the bar began throwing pocket change at the arresting **officers**; then the bottles started flying and then the **bricks**. With the majority of the patrons now outside the bar, a **crowd of angry trans/queer folks had gathered and forced the police to retreat** back **into the Stonewall**. **As their collective fury grew, a** few people uprooted a parking meter and used it as a battering ram in hopes of knocking down the bar’s door and escalating the physical confrontation with the cops. A tactical team was called to rescue the vice squad now barricaded inside the Stonewall. They eventually arrived, and the street battle raged for two more nights**. In a** blast of **radical collectivity**, trans/gender-non-conforming folks, queers of color, butches, drag queens, hair-fairies, homeless street youth, sex workers, and others **took up arms and fought back against** the **generations of oppression** that they were forced to survive.[1] Forty years later, on a similarly muggy June night in 2009, history repeated itself. At the Rainbow Lounge, a newly opened gay bar in Fort Worth, Texas, the police staged a raid, verbally harassing patrons, calling them “faggots” and beating a number of customers. One patron was slammed against the floor, sending him to the hospital with brain injuries, while seven others were arrested. These instances of brutal force and the administrative surveillance that trans and queer folks face today are not significantly less prevalent nor less traumatic than those experienced by the Stonewall riot[s] ers of 1969, however the way [of] s this violence is currently underst[anding violence] ood is quite different.[from the Rainbow Lounge] While community vigils and public forums were held in the wake of the Rainbow Lounge raid, the immediate response was ***not to fight back***, ***nor has there been*** much attempt to understand the raid in the broader context of the systematic violence trans and queer people face under the relentless force of the prison industrial complex (PIC).[2] Captive Genders is in part an attempt to think about the historical and political ideologies that continually naturalize the abusive force of the police with such power as to make them appear ordinary. This is not to argue that the types of resistance present at the Stonewall riots were commonplace during that time, nor to suggest that trans and queer folks do not fight back today; nonetheless one of our aims is to chart the multiple ways that trans and queer folks are subjugated by the police, along with the multiple ways that we have and that **we continue to resist in the face of these overwhelming structures**.[3] I start **with the Stonewall riot** not because it **was** **the** first, most important, or last instance of **radical refusal of the police state.** Indeed, the riots at San Francisco’s Compton’s Cafeteria in 1966 and at Los Angeles’s Cooper’s Doughnuts in 1959 remind us that the history of resistance is as long as the history of oppression. However, what is unique about the Stonewall uprising is that, within the United States context, it is made to symbolize the “birth of the gay rights movement.” Furthermore, dominant lesbian, gay, bisexual, and transgender (LGBT) political organizations like the Human Rights Campaign (HRC) and the National Gay and Lesbian Task Force (NGLTF) attempt to build an arc of progress starting with the oppression of the Stonewall moment and ending in the current time of “*equality*” evidenced by campaigns for gay marriage, hate crimes legislation, and gays in the military. Captive Genders works to undo this narrative of progress, assimilation, and police cooperation by building an analysis that highlights the **historical and contemporary antagonisms between trans/queer folks and the police state**.[4] This collection argues that **prison abolition must be one of the centers of trans and queer liberation struggles**. Starting with abolition we open questions often disappeared by both mainstream LGBT and anti-prison movements. Among these many silences are the radical trans/queer arguments against the proliferation of hate crimes enhancements. Mainstream LGBT organizations, in collaboration with the state, have been working hard to make us believe that hate crimes enhancements are a necessary and useful way to make trans and queer people safer. Hate crimes enhancements are used to add time to a person’s sentence if the offense is deemed to target a group of people. However, hate crimes enhancements ignore the roots of harm, do not act as deterrents, and reproduce the force of the PIC, which produces more, not less harm. Not surprisingly, in October 2009, when President Obama signed the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act into law, extending existing hate crimes enhancements to include “gender and sexuality,” there was no mention by the LGBT mainstream of the historical and contemporary ways that the legal system itself works to deaden trans and queer lives. As antidote, this collection works to understand how gender, sexuality, race, ability, class, nationality, and other markers of difference are constricted, often to the point of liquidation, in the name of a normative carceral state. Among the most volatile points of contact between state violence and one’s body is the domain of gender. An understanding of these connections has produced much important activism and research that explores how non-trans women are uniquely harmed through disproportionate prison sentences, sexual assault while in custody, and nonexistent medical care, coupled with other forms of violence. This work was and continues to be a necessary intervention in the ways that prison studies and activism have historically imagined the prisoner as always male and have until recently rarely attended to the ways that gendered difference produces carceral differences. Similarly, queer studies and political organizing, along with the growing body of work that might be called trans studies— while attending to the work of gender, sexuality, and more recently to race and nationality—has (with important exceptions) had little to say about the force of imprisonment or about trans/queer prisoners. Productively, we see this as both an absence and an opening for those of us working in trans/queer studies to attend—in a way that centers the experiences of those most directly impacted—to the ways that the prison must emerge as one of the major sites of trans/queer scholarship and political organizing.[5] In moments of frustration, excitement, isolation, and solidarity, Captive Genders grew out of this friction as a rogue text, a necessarily unstable collection of voices, stories, analysis, and plans for action. What these pieces all have in common is that they suggest that gender, ability, and sexuality as written through race, class, and nationality must figure into any and all accounts of incarceration, even when they seem to be nonexistent. Indeed, the **oftentimes ghosted ways that gender and heteronormativity function most forcefully are in their presumed absence.** In collaboration and sometimes in contestation, this project offers vital ways of understanding not only the specific experience of trans and queer prisoners, but also more broadly the ways that regimes of normative sexuality and gender are organizing structures of the prison industrial complex. To be clear, Captive Genders is not offered as a definitive collection. Our hope is that it will work as a space where conversations and connections can multiply with the aim of making abolition flourish.

## Case

#### 1]—We go extinct anyways because there is an end of time that is unavoidable.

#### 2]—There is always a chance of extinction – for example the risk of a pandemic wiping us all out, an accident, an alien attack

#### 3]—Value to Life outweighs existential risk-

**--if people believed that they living itself was inherently valuable, suicide wouldn’t be a thing – life is only valuable due to the value**

**--their ‘value’ is incomprehensible for minorities and those oppressed by liberalism –the poor who have been so affected that the only thing they think about is how to sate the gnawing hunger in their stomach, how to get food on the table for their families, those who have had to leave their homes to a place where they are prejudiced against and are squeezed together in essentially concentration camps governed by their captors – none of them care about extinction or a nuclear bomb as the worst has already happened to them- they would fathom death better than the situation they are in**

#### 4]—Futurity is biased:

**--futurity imposes psychological violence against the certain groups of people that are unable to reproduce – through the valorization of a nuclear family that can reproduce to fight against complete extinction.**

#### 5]—our ideas outweigh:

**--debate is a space of scholarship for ideas , we learn more from our own ideas than from hypothetical scenarios – prefer our own ideas as debate is an intimate space so we structurally outweigh**

#### Patents are a left-wing boogeyman and not the main cause

Tabarrok 21

Alex Tabarrok (Bartley J. Madden Chair in Economics at the Mercatus Center and am a professor of economics at George Mason University). “Patents are Not the Problem!” Marginal Revolution. 6 May 2021. JDN. https://marginalrevolution.com/marginalrevolution/2021/05/ip-is-not-the-constraint.html

What can we do to increase supply? Sorry, there is no quick and cheap solution. We must spend. Trump’s Operation Warp Speed spent on the order of $15 billion. If we want more, we need to spend more and on similar scale. The **Biden administration paid $269 million to Merck to retool its factories to make the J&J vaccine**. That was a good start. We could also offer Pfizer and Moderna say $100 a dose to produce in excess of their current production and maybe with those resources there is more they could do. South Africa and India and every other country in the world should offer the same (India hasn’t even approved the Pfizer vaccine and they are complaining about IP!??) We should ease up on the DPA and invest more in the supply chain–let’s get CureVac and the Serum Institute what they need. We should work like hell to find a substitute for Chilean tree bark. See my piece in Science co-authored with Michael Kremer et. al. for more ideas. (Note also that these ideas are better at dealing with current supply constraints and they also increase the incentive to produce future vaccines, unlike shortsighted patent abrogation.) **Bottom line is that producing more takes real resources not waving magic patent wands.** You may have gathered that I am angry. I am indeed angry that the people in power think they can solve real problems on the cheap and at someone else’s expense. This is not serious. I am also angry that they are sending the wrong message about business, profits and capitalism. So let me end on positive note. Like the Apollo program and Dunkirk, the creation of the mRNA vaccines by Pfizer and Moderna should be lauded with Nobel prizes and major movies. Churchill called the rescue at Dunkirk a “miracle of deliverance,” well the miracle of Moderna will rescue many more. Not only was a vaccine designed in under a year, an entirely new production process was set up to produce billions of doses to rescue the world. The creation of the mRNA vaccines was a triumph of science, logistics, and management and it was done at a speed that I had thought possible only for past generations. I am grateful that greatness is still within our civilization’s grasp.

#### Waiving patents can’t resolve drug access issues

Garde 21

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In October, **Moderna vowed not to enforce its Covid-19-related patents for the duration of the pandemic, opening the door for manufacturers that might want to copy its vaccine. But to date, it’s unclear whether anyone has, despite the vaccine’s demonstrated efficacy and the worldwide demand for doses.** That underscores the drug industry’s case that patents are just one facet of the complex process of producing vaccines. “There are currently no generic vaccines primarily because there are hundreds of process steps involved in the manufacturing of vaccines, and thousands of check points for testing to assure the quality and consistency of manufacturing. One may transfer the IP, but the transfer of skills is not that simple,” said Norman Baylor, who formerly headed the Food and Drug Administration’s Office of Vaccines Research and Review, and who is now president of Biologics Consulting. While there are factories around the world that can reliably produce generic Lipitor, vaccines like the ones from Pfizer and Moderna — using messenger RNA technology — require skilled expertise that even existing manufacturers are having trouble sourcing. “In such a setting, imagining that someone will have staff who can create a new site or refurbish or reconfigure an existing site to make mRNA [vaccine] is highly, highly unlikely,” Yadav said. There are already huge constraints on some of the raw materials and equipment used to make vaccines. Pfizer, for instance, had to appeal to the Biden administration to use the Defense Production Act to help it cut the line for in-demand materials necessary for manufacturing. Rajeev Venkayya, head of Takeda Vaccines — which is not producing its own Covid vaccine but is helping to make vaccine for Novavax — said supply shortages are impacting not just Covid vaccine production but the manufacture of other vaccines and biological products as well. “**This is an industry-wide … looming crisis that will not at all be solved by more tech transfers,” Venkayya said**. He suggested many of the people advocating for this move are viewing the issue through the prism of drug development, where lifting intellectual property restrictions can lead to an influx of successful generic manufacturing. “I think in this area there is an unrecognized gap in understanding of the complexities of vaccine manufacturing by many of the ‘experts’ that are discussing it,” said Venkayya, who stressed that while he believes they have good intentions, “nearly all of the people who are providing views on the value of removing patent protections have zero experience in vaccine development and manufacturing.” As Michelle McMurry-Heath, CEO of the trade group BIO, put it in a statement, “handing needy countries a recipe book without the ingredients, safeguards, and sizable workforce needed will not help people waiting for the vaccine.”

#### Unpatented medicine cause counterfeits—

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The threat of counterfeit goods took center stage on June 15th in a hearing convened by Senate Finance Committee Chairman Orrin Hatch (R-Utah). Focusing on trade opportunities and challenges for American businesses in the digital age, Senator Hatch stated:

“The Organization for Economic Co-Operation and Development (OECD) recently released a study that shows that counterfeit products accounted for up to 2.5 percent of world trade, or $461 billion, in 2013. This is a dramatic increase from a 2008 estimate that showed that fake products accounted for less than half that amount. Counterfeits are a worldwide problem, but the OECD estimates that the United States is the hardest hit, followed by Italy and France. Of the estimated $461 billion in counterfeit trade in 2013, goods with registered intellectual property rights in the U.S. represented 20 percent, or $92 billion, of the OECD estimate.”[1]

As the author of the chapter on illicit trade in counterfeit medicines within the OECD report, I worry that global policymakers may be working against each other when it comes to battling counterfeit drugs, especially in the context of intellectual property rights. While the Senate Hearing and the OECD report highlight the importance of strong IP protection in combating the growing threat of counterfeit goods, their efforts coincide with an initiative by the UN Secretary-General that has the potential to greatly worsen the problems of counterfeit pharmaceuticals. UN Secretary General Ban Ki Moon’s High Level Panel on Access to Medicines proposes “to review and assess proposals and recommend solutions for remedying the policy incoherence between the justifiable rights of inventors, international human rights law, trade rules and public health in the context of health technologies.”[2] The High Level Panel is a thinly veiled attempt to undermine the intellectual property rights architecture that incentivizes pharmaceutical innovation and protects patients from counterfeit medicines.

While patents and other forms of intellectual property rights are widely recognized as fostering pharmaceutical innovation, they also serve to inhibit counterfeiting. The World Health Organization has determined that counterfeiting is facilitated where “there is weak drug regulatory control and enforcement; there is a scarcity and/or erratic supply of basic medicines; there are extended, relatively unregulated markets and distribution chains, both in developing and developed country systems; price differentials create an incentive for drug diversion within and between established channels; there is lack of effective intellectual property protection; due regard is not paid to quality assurance”.[3]

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According to INTERPOL estimates, approximately 30 percent of drugs sold worldwide are counterfeit.[4] However, as is the case with many other counterfeit trade statistics, the origins of this figure are somewhat uncertain, as is the methodology used to make the calculation. Perhaps the most widely-cited statistic originates from the World Health Organization, which estimates that 10 percent of the global market for pharmaceuticals is comprised of counterfeits and reports place the share in some developing countries as high as 50-70%.[5]

While difficult to measure, estimates do exist on the extent of the market for counterfeit drugs and the harm done to human health. As noted in my chapter in the OECD report,

“INTERPOL estimates that more than one million people die each year from counterfeit drugs.[6] While counterfeit drugs seem to primarily originate in Asia, Asian patients are also significantly victimized by the problem. A 2005 study published in PLoS Medicine estimate that 192,000 people are killed in China each year by counterfeit medicines.[7] According to work done by the International Policy Network, an estimated 700,000 deaths from malaria and tuberculosis are attributable to fake drugs. [8] The World Health Organization presents a much more modest number noting that malaria claims one million lives annually and as many as 200,000 may be attributed to counterfeit medicines which would be avoidable if the medicines available were effective, of good quality and used correctly.[9] Even this number is double that presented by academic researchers Amir Attaran and Roger Bate who claim that each year more than of 100,000 people around the world may die from substandard and counterfeit medications.[10]” [11]

Given the devastating impact of counterfeit medicines on patients and the importance of intellectual property protection in combating pharmaceutical counterfeiting, it is troubling that the UN High Level Panel seems poised to prevent a series of recommendations that will undermine public health under the guise of enhancing access. Without the assurance of quality medicines, access is meaningless. Moreover, while falsely presenting intellectual property rights as the primary obstacle to global health care, the High Level Panel downplays a host of other factors that prevent developing country patients from getting the drugs they need: inadequate medical infrastructure, insufficient political will, a shortage of clinical trials in nations where neglected diseases are endemic, poverty, and insufficient market incentives.