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#### Our thesis is that the world is in *fundamental opposition* to disability – disability is always caught in an ontological antagonism due to disgust, psychogenesis, and the ‘disability drive’. The 1ACs attempt at progress through policy and very placement in civil society is a way to export disgust based ontological violence.

Hughes 12 (-Disability and Social Theory pp 17-32 | Civilising Modernity and the Ontological Invalidation of Disabled People Authors Authors and affiliations Bill Hughes-) BL

Elimination and/or correction have been the primary social response to disabled people in modernity. The primary form of experience (of disability), during the same period, has been one of invalidation. Invalidation carries a ‘dual meaning’ as both ‘confinement through incapacity’ and ‘deficit of credibility’ (Hughes, 2000: 558). This (latter and more crucial) claim is based on the view that in the non-disabled imaginary disability is an ‘ontological deficit’ – a reduction of ‘leib’ to ‘korpor’, human to animal, subjectivity to flesh, identity to excessive corporeal presence. It is this deficit of credibility that provides the spurious rationale for the disposal of disabled bodies by means of elimination (inter alia extermination or segregation) or correction (inter alia sterilisation or rehabilitation). These are the social practices that have been used to erase both the psychological aversion and the problematic social difference that disability has come to represent. In this chapter, I will argue – using Norbert Elias as a touchstone – that the treatment of disabled people in the modern period is a barbaric sideshow in the long march of the ‘civilising process’ (Elias, 2000). The ‘personality structure’ ableism (see Kumari Campbell (2001) and in this volume) in modernity transforms its own ontological precariousness into aversion for and disposal of disability. The negative response to biological and intellectual difference in modernity is strongly influenced by the tendency embedded in the ‘civilising process’ to incrementally deride the value of physical and intellectual difference and promote a sanitised norm of human behaviour and appearance (Elias, 2000). The social and social policy response to disability in the modern period cannot be separated from the emotional aversion to impairment characteristic of non-disabled hegemony. I will utilise Elias’s concepts of psychogenesis and sociogenesis1 to explain that the story of disability in modernity is one that develops towards the social and ontological invalidation of disabled people’s lives. The sociogenisis of disability is, in practice, twofold: it can be ‘anthropoemic’ or ‘anthropophagic’. The first refers to social processes that rootout and eliminate people: if error and imperfection are the anti-heroes of modernity, then one might expect to find examples in which the desire for truth and purity is exercised through the root and branch elimination of those who offend against this moral universe. Locking disabled people into a ‘zone of exception’ (Agamben, 2004) in which they are subjected to the eugenic gaze and categorised as inhuman or sub-human is one strategy for dealing with disability (Reave, 2008). ‘The real solution to heresy’ suggested George Canguilhem in his discussion of the normal and the pathological (1991: 280) ‘is extirpation’, meaning to destroy totally or exterminate. In modernity medical ideas and practices have been a fertile source of radical solutions to impairment. Medical solutions also embrace anthropophagic strategies. They deal in the correction and rehabilitation of ‘abnormal bodies’. Cure/rehabilitation stands at the heart of the medical doctrine of salvation (soteriology) and it is a prospect often held up to disabled people by optimists who fetishise scientific progress and promote biological solutions to impairment. Both strategies – to kill or to cure – transmit the same core cultural message: disabled people represent ‘what not to be’ and are, therefore, ontologically invalid or ‘uncivilised’. Social responses to impairment, in modernity, are underpinned by the processes that constitute the psychogenisis of disability. These include the emotional aversions and intolerances of impairment that derive from the civilising process. The ontological invalidation that disabled people experience in their everyday encounters is mediated primarily by the emotion of disgust (with fear and pity in tow). At an existential level the presence of the disabled body is unsettling for non-disabled people who are often in denial about their own vulnerability. This is the psychological and emotional component of what disability scholars call ableism. The standard resolution to this ‘problem’ of non-disability in modernity has been to have the object of discomfort – the disabled person – removed or corrected. The sociogenesis of anthropoemic and anthropophagic strategies for dealing with impairment are rooted in the emotional dispositions of non-disabled people as they develop their civilised protocols for behaviour and bodily comportment. In what follows, I will focus on the ways in which the ‘civilising process’ invalidates impairment and demonstrate how opportunities to escape this ontological dead-end usually require the erasure of disabled identity. In the first section that follows I will give some examples of the way in which one can read disability as a product of the civilising process. In the section, thereafter, I will examine the psychogenesis of disability relating it to the disgust response to impairment and to the development of ableism, the complex of processes that exclude disabled people from the ‘psychic habitus’ (Elias, 2000: 367) of modernity.

### Here are specific lines out of the aff that prove they are consistent with our theory of power

Doug Campbell Quote The public needs to be able to trust their elected representatives

Progress narrative Cruel optimism

The Democracy Commitment “Being an informed voter means to be knowledgeable about the issues and positions of candidates when voting.”

Politics are good

Analytic after there stewart evidence: “Also without the right to know it will hurt a democracy.”

Thinks US Heg is good

#### The role of the ballot is to vote for the debater who best methodologically challenges ableism. Assumptions of ableism is always already inherent in any system of knowledge production thus ableism is *always* a prior question. Evaluate the 1ACs scholarship and assumptions – anything else allows for ableist norms to be replicated – they *do not* get to weigh the case.

Campbell 13 (Fiona Kumari Campbell, Adjunct Professor in the Department of Disability Studies at Griffith University. Wednesday 27 November 2013. Problematizing Vulnerability: Engaging Studies in Ableism and Disability Jurisprudence. Keynote speech at Disability at the Margins: Vulnerability, Empowerment and the Criminal Law)

What is meant by the concept of ableism? The literature suggests that the term is often used fluidly with limited definitional or conceptual specificity. The work of Carlson (2001)5 and Campbell (2001) represented a turning point in bringing attention to this new site of subordination not just in terms of disablement but also ableism’s application to other devalued groups. **Ableism is deeply seeded at the level of knowledge systems of life, personhood and liveability.** Ableism is not just a matter of ignorance or negative attitudes towards disabled people; **it is a schema of perfection, a deep way of thinking about bodies, wholeness and permeability.**6 As such integrating ableism into social research and advocacy strategies represents a significant challenge to practice as ableism moves beyond the more familiar territory of social inclusion and usual indices of exclusion to the very divisions of life. Bringing together the study of existence and knowledge systems, ableism is difficult to pin down. Ableism is a set of processes and practices that arise and decline through sequences of causal convergences influenced by the elements of time, space, bodily inflections and circumstance. Ability and the corresponding notion of ableism are intertwined. **Compulsory ablebodiedness is implicated in the very foundations of social theory,** therapeutic jurisprudence, advocacy, **medicine and law; or in the mappings of human anatomy.** Summarised by Campbell (2001, 44) Ableism refers to; …A network of beliefs processes and practices that produces a particular kind of self and body (the bodily standard) that is projected as the perfect, speciestypical and therefore essential and fully human. Disability then is cast as a diminished state of being human. Writing today (2013) I add an addition to this definition: ‘The ableist bodily configuration is immutable, permanent and laden with qualities of perfectionism or the enhancement imperative orientated towards a self-contained improvability’. Sentiency applies to not just the human but the ‘animal’ world. As a category to differentiate the normal from the pathological, **the concept of abledness is predicated on some preexisting notion about the nature of typical species functioning that is beyond culture and historical context**. Ableism does not just stop at propagating what is typical for each species. An ableist imaginary tells us what a healthy body means – a normal mind, the pace, the tenor of thinking and the kinds of emotions and affect that are suitable to express. Of course these ‘fictional’ characteristics then are promoted as a natural ideal. **This abled imaginary relies upon the existence of an unacknowledged imagined shared community of able-bodied/minded people held together by a common ableist world view that asserts the preferability** and compulsoriness **of the norms of ableism.** Such ableist schemas erase differences in the ways humans express our emotions, use our thinking and bodies in different cultures and in different situations. This in turn enacts bodily Otherness rendered sometimes as the ‘disabled’, ‘perverted’ or ‘abnormal body’, clearly demarcating the boundaries of normal and pathological. A critical feature of an ableist orientation is a belief that impairment or disability is inherently negative and at its essence is a form of harm in need of improvement, cure or indeed eradication. **Studies in Ableism** (SiA)inverts traditional approaches, by shifting our concentration to what the study of disability **tells us about the production, operation and maintenance of ableism.** In not looking solely at disability,we can focus on how the abled able-bodied, non-disabled identity is maintained and privileged. Disability does not even need to be in the picture. SiA’s interest in abledness means that the theoretical foundations are readily applicable to the study of difference and the dividing practices of race, gender, location and sexual orientation. Reframing our focus from disability to ableism prompts different preoccupations: • What does the study of the politics of ‘vulnerability’ tells us about what it means to be ‘non-vulnerable’? • Indeed how is the very conceptualisation of ‘autonomy’ framed in the light of discourses of ‘vulnerability’? • In representing vulnerability as universal does this detract from the specificity of disability experiences? **SiA examines the ways that concepts of** wellbeing, **vulnerability and deficiency circulate throughout society and impact** upon economic, social, **legal and ethical choices**. Principally SiA focuses on the limits of tolerance and possessive individualism. Extending the theorization of disability, **studies in ableism can enrich our understanding of the production of vulnerability and the terms of engagement in civic life and the possibilities of social inclusion.** I now turn to unpacking the nuances and structure of a theory of ableism.

#### Vote negative to affirm radical failure – to affirm the idea that disability is something that is beautiful which is in opposition to the world’s biopolitical portrayal of disability.

Campbell 2012 (Fiona Kumari Campbell, Associate Professor in Law for Griffith Law School, and a Adjunct Professor in Disability Studies at the University of Kelaniya. "Stalking Ableism: Using Disability to Expose 'Abled' Narcissism." In the book "Disability and Social Theory: New Developments and Directions." Chapter 13. Palgrave McMillan, 2012. Brackets in article)

Difference can be a vexed issue even within modern liberal societies. The tendency for many people is still to emulate or at least appear to refashion normative ways of being. Much of the intellectual traffic for the rethinking of disability in terms of anti-sociality has emerged through debates about the merits of social inclusion and liberal notions of equality and resilience strategies to break the abled stranglehold. Legal theorists like Ruth Colker who argues that anti-subordination rather than integration should be the measure of equality are the exception (Colker, 2006). There is limited work within disability studies, especially in approaches influenced by the social model of disability or social role valorisation theory, that take a trans-integration or post-normalisation perspective. What if we turned our backs on ‘fitting in’ – what would be the opportunities, the consequences and maybe dangers, to give ‘attention to the lived intricacies of embodiment offer[ing] alternatives to normalization efforts aimed at homogenizing social outsiders (Snyder & Mitchell, 2010, 113)’? For this imaginative undertaking it is necessary to turn to the theoretical work by other ‘outsider’ groups – queer theorists. Spearheading the critique of the ‘different but same’ stance of social justice formulations are ‘anti-social’ queer theorists (Bersani, 1986, 1996; Edelman, 2004; Halberstam, 2005, 2008; Muñoz, 2007). This section will outline some of the conceptual drivers of the anti-social argument and their adoption for developing an anti-sociality posture of disability. Leo Bersani’s seminal work (1986, 1996) formulated an anti-social, negative and anti-relational theory of sexuality. These works along with the writings of Edelman (2004), Halberstam (2005, 2008) and Muñoz (2007) set the stage for the decoupling of queer marginality from the liberal projects of tolerance and social inclusion. Before moving into a consideration of how certain conceptual renderings may be applied to the disability situation, it is useful to familiarise ourselves with how the neologism queer is understood by anti-social theorists. Lee Edelman’s No Future: Queer Theory and the Death Drive does not indicate the parameters of queer, but concludes that ‘queerness can never define an identity; it can only ever disturb one’ (2004: 17). Queer, while originating from the purview of diverse sexualities, easily extends to other kindred forms of ontological and corporeal aberrancies and ambiguities (such as disability). So it is right for Halberstam (2005: 6) to embrace a more elastic connotation of queer which refers to ‘non-normative logics and organizations of community, sexual identity, embodiment and activity in space and time’. From this reckoning, the disabled person is already queered. Queer, then is antitheoretical to the regime of ableist translation. In a world that makes claims to integrity using the argument based on equality as sameness (we are normal, we are everyday people), it would seem a bit bold or offensive to suggest that people with disability are different from the run-of-mill ableist norm emulators. Ahmed (2006) points to an alternate prism, a ‘migrant orientation’ to capture a disorientation faced by queer folk which I extend to include disabled people. The disorientation, a form of radical estrangement propels a lived experience of facing at least two directions: towards a home that has been lost (the desire to emulate ableist norms), and to a place that is not yet home. Regimes of ableism have produced a depth of disability negation that reaches into the caverns of collective subjectivity to the extent that disability negativity is seen as a ‘naturalized’ reaction to an aberration. Not negating queerness or disability can cultivate alternate kinds of liberty that de-identify with the rhetoric of social inclusion. A key marker of the anti-social turn is temporality – contemporarity and futurity – an explication of the current marginal stance and the vision for future. It is this orientation of predicament and utopianism that can speak to the disability realm. For disability, utopianism is a conflicted zone – there is no future existence, disability dreaming is expunged and the utopian drive is a device for promise (of curability), hence extinction of the impairment state. Jose Esteban Muñoz (2007: 453) in speculating about the absence of a queer imagination elicits a desire to engage in a queer horizon, a utopian hermeneutics where re-imagining futurity requires that ‘the not quite conscious is the realm of potentiality that must be called upon’. The distance between imagination and potentiality means that ‘queerness is not quite here’. Our imaginations are not yet exhausted. Muñoz explains: to argue that we are not quite queer yet, that queerness, what we will know as queerness, does not yet exist. I suggest that holding queerness, in a sort of ontologically humble state, under a conceptual grid wherein we do not claim to always already know queerness in the world, potentially staves off the ossifying effects of neoliberal ideology. (Muñoz, 2007: 454) How does an alternative horizon for disabled people come to be formulated? Living in the now and not yet, as outsiders, not quite inside, requires a disposition or habit of contemporariness. Contemporariness signifies a relationship with the present but also a distance, a critical space from it. As Agamben explains: Those who are truly contemporary, who truly belong to their time, are those who neither perfectly coincide with it nor adjust themselves to its demands. They are in this sense irrelevant [inattuale]. But precisely because of this condition, precisely through this disconnection and this anachronism, they are more capable than others of perceiving and grasping their own time. (2009: 40) Disabled people are called to live as contemporaries. The queering or cripping of contemporariness is the grasping and holding tight to ambivalence and obscurity so fundamental to the alternate lifestyle which is obtained through fixing the gaze not on our era’s light but the underbelly, or in Agamben’s language ‘darkness’ – which shines into the staree. In this sense, the contemporary queered and cripped person, in touching an elusive imaginary, sees the now and the emergent not as a death drive, but in terms of unlivedness: The present is nothing other than this unlived element in everything that is lived. That which impedes access to the present is precisely the mass of what for some reason … we have not managed to live. The attention to this ‘unlived’ is the life of the contemporary. (Agamben, 2009: 51) The matter of re-imagining a disability or cripped horizon, a future without the stain of ableism, although elusive and out of grasp, is nonetheless fundamental in order to move to hopefulness and capture that unlived possibility in the lives of many with disability. Can the so-called shadows of a disabled life be sites of invigoration? What is ‘unlived’ in our lives? Crippin’ the human involves a differential gaze – where sometimes signs and gestures predominate, where there is a different mind style such as Tourette’s syndrome or autism, or a centring on visuality or tactility. A grounded earthiness can be ‘different’ through echolocation and waist heightedness. Halberstam (2008) speaks of acts of unbecoming. Through what she describes as ‘wilfully eccentric modes of being’, it is worth conjuring and queering concepts of passivity held against disabled people, as a refusal to live up to ableist expectations of performativity: [I]n a performance of radical passivity, we witness the willingness of the subject to actually come undone, to dramatise unbecoming for the other so that the viewer does not have to witness unbecoming as a function of her own body. (Halberstam, 2008: 151) This radical passivity, for disabled people, would indeed have to be radical, as disabled people already live under the enormous weight of being characterised as passive. It is a tough ask to claw back and produce a cripped notion of passivity. Sunny Taylor does this in her quest for the right not to work: I have a confession to make: I do not work. I am on SSI [social security benefit]. I have very little work value (if any), and I am a drain on our country’s welfare system. I have another confession to make: I do not think this is wrong, and to be honest, I am very happy not working. Instead I spend the majority of my time doing the activity I find the most rewarding and valuable, painting. (Taylor, 2004: 30) Such strange temporalities, imaginative life schedules present alternative temporalities which disability studies scholars have all along known, disrupt the parameters of the human (Halberstam, 2005; Campbell, 2009; McRuer, 2006). Having said this, it is all the more extraordinary that disabled people have not yielded to this repression but have resisted docility and engaged in transgressive ways of living disability. Ableism is founded on a utopian hermeneutics of the desirable and the disgusting and therefore it is, as Halberstam (2008: 153) puts it, necessary to inculcate alternative political imaginaries. McRuer (2008) drew my attention to the way Halberstam’s perspective can incorporate disability as also outside the lifecycle: I try to use the concept of queer time to make clear how respectability, and notions of the normal on which it depends, may be upheld by a middle-class logic of reproductive temporality. And so, in Western cultures, we chart the emergence of the adult from the dangerous and unruly period of adolescence as a desired process of maturation; and we create longevity as the most desirable future, applaud the pursuit of long life (under any circumstances), and pathologize modes of living that show little or no concern for longevity. Within the life cycle of the Western human subject, long periods of stability are considered to be desirable, and people who live in rapid bursts (drug addicts, for example) are characterized as immature and even dangerous. (Halberstam, 2005: 4–5) Cripped time can be staggered, frenzied, coded, meandering and be the distance between two events. Some of our time is shaped according to another’s doing – service time – the segmenting and waiting on assistive agencies. Aside from service time, there is a transient time whereby our cripped selves rub up against biology, environmental barriers and relationality. Like queerness, the lifecycle refuses patterning – there is a different vision with localised goals. Instead of proposing argument based on normalisation and similarity to the heteronormative (and by extension ableist normativity), Edelman (2004) proposes a politics of negativity, on the basis that queers, as outsiders, are embodied differently having counter-intuitive, queered forms of negative knowing (Halberstam, 2008: 141). Edelman implores queers to be norm resisters, to come out from normative shadows and fess up to futurist ‘inability’: ‘instead of fighting this characterization by dragging queerness into recognition, he proposes that we embrace the negativity’ (Halberstam, 2008: 141). Relinquishing the norm as a lost cause enables an outlaw flowering of beingness that is anti-social.

## Case

#### The 1ACs failure to analyze how the disability drive effects their politics both dooms them to fail and deems their impacts inevitable. All subjectivities are governed by self reflection - disability drives invokes a two tiered affective response of pity between the non disabled subject and the disabled object. Primary pity removes the ego’s ability to distinguish itself from the disabled other by forcing the self to reconcile with the fact that ability status is temporary. The temporariness of ability status exists in opposition to the egos investment in healthiness and control – to regain itself the ego invokes secondary pity - a distancing of the ego from disability by invoking emotions of superiority through sadness and a desire to eliminate disability from social consciousness through medicalization or institutionalization.

Mollow 15 (The Disability Drive by Anna Mollow A dissertation submitted in partial satisfaction of the requirements for the degree of Doctor of Philosophy in English in the Graduate Division of the University of California, Berkeley Committee in charge: Professor Kent Puckett, Chair Professor Celeste G. Langan Professor Melinda Y. Chen Spring 2015) BL

A great deal of the pain and pleasure of primary pity center on questions about what, or who, this fallen self is. When most people think about pity, we refer to an affect in which, to adopt Edelman‟s phrase, we purport to “feel for the other.” But as with primary narcissism, in which the self has not yet been constituted, and therefore cannot be said to enter into intersubjective relations with an “other,” primary pity entails a mixing up of self and other such that the ego, in becoming permeable to pain that may properly belong to “someone else,” is profoundly threatened in its integrity. Primary pity is that intense pain-pleasure complex that is provoked by the image of a suffering other who, it seems momentarily, both is and is not one‟s self. This affective response can feel unbearable, as seen in Siebers‟s formulation: one “cannot bear to look…but also cannot bear not to look.” Primary pity is difficult to bear because it involves a drive toward disability (one cannot bear not to look), which menaces the ego‟s investments in health, pleasure, and control—because to contemplate another person‟s suffering is to confront the question, **“Could this happen to me?”** Such a prospect, although frightening, may also be compelling; in this way, primary pity replicates the self-rupturing aspects of sexuality. Indeed, the unbearability of primary pity reflects its coextensiveness with sexuality. Sex, or the Unbearable, a book coauthored by Edelman and by Lauren Berlant, argues that sex “unleashes unbearable contradictions that we nonetheless struggle to bear” (back cover). This claim accords with Freud‟s account of sexuality as a “pleasurable” “unpleasure” that the ego can never fully master or control (Three 49,75). As Leo Bersani puts it in his reading of Freud, “the pleasurable unpleasurable tension of sexual enjoyment occurs when the body‟s „normal‟ range of sensation is exceeded, and when the organization of the self is momentarily disturbed”; thus, “sexuality would be that which is intolerable to the structured self” (Freudian 38). Primary pity is also intolerable to the structured self, because it entails a fascination with the fantasy of a self in a state of disintegration or disablement. Secondary pity is something else, although it cannot wholly be differentiated from primary pity. Secondary pity attempts to heal primary pity‟s self-rupturing effects by converting primary pity into a feeling that is bearable. As with secondary narcissism, secondary pity involves both an attempt to get back to that ego-shattering state of painfully pleasurable primary pity, and at the same time to defend against that threat to the ego by aggrandizing oneself at someone else‟s expense. Secondary pitsy refers to all those ego-bolstering behaviors that most people think of when they talk about pity. Disabled people are all too familiar with these behaviors: the saccharin sympathy, the telethon rituals of “conspicuous contribution,” the insistence that “they” (i.e., nondisabled people) could never endure such suffering. More commonly known in our culture simply as “pity,” secondary pity encompasses our culture‟s most clichéd reactions to disability: charity, tears, and calls for a cure. Correlatives of these commonplace manifestations of secondary pity are the obligatory claims that disabled people‟s suffering is “inspiring.” Indeed, the speed with which conventional cultural representations of disability segue from overt expressions of pity to celebrations of “the triumph of the human spirit” highlights the ways in which secondary pity, as a defense against primary pity‟s incursions, reinforces the ego‟s fantasy of sovereignty. Secondary pity, in other words, can be seen as a variation of secondary narcissism: these affects enlarge the ego of the pitier or the narcissist at the expense of someone else. But primary pity is not the same as either primary narcissism, secondary narcissism, or secondary pity. Unlike primary narcissism, a feeling that emerges out of a relation to the world in which notions of “self” and “other” do not obtain, primary pity does depend upon the constructs of self and other, although these constructions are unstable and are continually threatening to come undone. Primary pity can thus be envisioned as a threshold category occupying a liminal position between the total denial of the other that is inherent to primary narcissism and the rigid structure of (superior) self and (inferior) other that constitutes secondary narcissism and secondary pity. My concept of primary versus secondary pity also differs from Freud‟s primarysecondary narcissism distinction at the level of genealogy. Like Freud‟s account of primary and secondary narcissisms, my model of primary and secondary pities involves a temporal transition; but whereas Freud imagines the movement from primary to secondary narcissism as a passage from an earlier to a later stage of an individual‟s development, the temporal shift from primary to secondary pity happens much more quickly than this. It happens in an instant: that moment in which we feel primary pity and then, almost before we can blink, deny that we feel or have felt it. The denial is understandable: who wants to admit that one gets pleasure from the sight of another person‟s suffering—or, to make matters worse, that this pleasure derives in part from the specter of disability‟s transferability, the possibility that this suffering could be—and, fantasmatically, perhaps already is—an image of one‟s own self undone? Indeed, the model of primary pity that I have been constructing may sound a bit too close to sadism for some people‟s liking. Pity does come close to sadism, and at the same time, to masochism, which Freud theorizes as sadism‟s obverse. In “Mourning and Melancholia,” an essay that can be read as a sequel to “On Narcissism,” Freud approaches a distinction between primary and secondary masochism, which accords with my primary-secondary pity heuristic.122 If the story that I traced in “On Narcissism” could be summarized as “child gets breast; child loses breast; child gets breast back, albeit in a secondary, adulterated form,” the tale that Freud tells about masochism takes much the same form. In this story, subject loves object; subject loses object; and subject tries to get object back by becoming object, that is, by identifying with the object in such a way that object starts to seem—and perhaps in some ways is—part of subject‟s self. This last phase is a dysfunctional and disabling form of identification, Freud makes clear. Subject is still angry at object for having left it, and it takes out that anger on the object that is now part of itself. This is the reason that people suffering from melancholia are so hard on themselves, Freud says; the “diminution in…self-regard” that typically accompanies melancholia results from the subject‟s attacks on the loved-and-lost object that the subject has incorporated into its ego (“Mourning” 246). Freud had not wanted there to be such a thing as primary masochism; for a long time, he had insisted that sadism, or “aggression,” was the primary instinct, and that masochism was only a turning-inward of this originary aggression. But in “Mourning and Melancholia,” although Freud does not yet use the term “primary masochism,” he nonetheless gets at this concept. The problem of suicide, Freud notes in this essay, raises the possibility that the ego “can treat itself as an object” that it wants to destroy (252). When it comes to such an extreme act as suicide, the possibility of carrying “such a purpose through to execution” must, Freud surmises, involve more than a sadistic wish to punish others. Perhaps, then, there is an innate desire to destroy one‟s own self, Freud hypothesizes. If so, this self would not be a single thing: it would be “me” and at the same time, the lost object whose image “I” have internalized. Freud‟s notion of a primary masochism is tied very closely to his conceptualization of the drive. Beyond the Pleasure Principle, the text in which Freud first used the term “death drive,” was published three years after “Mourning and Melancholia.” In the later text, Freud‟s speculations about the death drive lead him to acknowledge that “there might be such a thing as primary masochism” (66). After all, Freud points out, the idea that either sadism or masochism definitively takes precedence over the other does not ultimately make much sense, as “there is no difference in principle between an instinct turning from the object to the ego and its turning from the ego to an object” (66). If sadism and masochism are ultimately indistinguishable obverses of each other, then pity, in both its primary and its secondary forms, would have to be both sadistic and masochistic. This is a deeply troubling possibility, but I suggest that trying to overcome pity will only make matters worse. There are many ways of trying to overcome primary pity, and each one ultimately aggravates the violence of primary pity. One way is the “pitiless” refusal of compassion that Edelman advocates (70). Another is the disability activist “No pity” injunction. A third example is secondary pity, as in the query, commonly addressed to disabled people, “Have you ever thought of killing yourself?”123 In this question, disabled people correctly hear the wish, “I‟d like to kill you.” Indeed, primary pity is so unsettling that our culture has been driven to “mercifully” kill people in the name of secondary pity. We have also been driven to lock people in institutions, to let them languish on the streets, to stare, to punish, and to sentimentalize—all, I would suggest, in the interest of not owning, not naming, not acknowledging that self-shattering, ego-dissolving, instantaneous and intolerable moment of primary pity. Because primary pity is tied up with the disability drive, it must, like the drive itself, be regarded as unrepresentable. However, I will quote at length from a passage of writing that comes close not only to representing primary pity but also perhaps to producing it. In his memoir, One More Theory About Happiness, Paul Guest describes an experience that he had in the hospital after sustaining a spinal cord injury when he was twelve years old: My stomach still roiled and it was hard to keep anything down. Late one night, a doctor came to my bedside, leaning over me, his hands knotted together. He seemed vexed, not quite ready to say anything. Used to the look, I waited. And then he began. “The acids in your stomach, Paul, because of everything you‟re going through, it‟s like your body, everything about it, is upset. That‟s why you feel so nauseous all the time. We‟re going to treat that by putting a tube into your nose and down into your stomach, so we can give you medicine, OK?” When he walked away, I felt something begin to give way inside me. Up until then, I‟d faced more misery and indignity than I would have thought possible. I lay there, numb and sick in a diaper, helpless. It was too much to bear, too frightening, a last invasion I could experience and not break, utterly. When he returned with nurses, I was already sobbing. Anyone so limited could hardly fight, but I tried. I tried. The neck collar prevented much movement, and any was dangerous, but I turned my head side to side, just slightly, a pitiful, unacceptable range. Fat tears rolled down my face like marbles. I begged them all, no, no, no, please no. “Hold him, hold him still,” the doctor said. Nurses gripped my head on either side. From a sterile pack, the doctor fished out a long transparent tube and dabbed its head in a clear lubricant. He paused almost as if to warn me but then said nothing.

## Here are more lines of the aff that prove they are consistent with our theory of power

#### The 1ACs attempt at demands on the state causes desire to be forfeited for the sake of making an impossible demand from a repressive regime– this destroys agency and causes passivity. Only saying no to the 1AC can solve.

**Lundberg 12** [Christian O. Lundberg, Director of Cultural Studies and Associate Professor of Rhetoric at The University of North Carolina at Chapel Hill, 2012, *Lacan in Public: Psychoanalysis and the Science of Rhetoric*, pub. University Alabama Press, p. 165-175]

As a mode of individuation and subjectivization, egos are economies of frustration and compensation. This economy relies on a split in the freudian demand, which is both a demand to satiate a specific need and a demand for the addressee to provide an automatic fulfillment of a need. The generative power of the demand relies on two things: the split between the demand and the need that it attempts to redress, and the fact that some demands will be refused. This economy of need and frustration works because the refusal of a specific need articulated as a demand on another is also a refusal of the idea that the addressee of the demand can fulfill all the subject’s needs, requiring a set of compensatory economic functions to negotiate the refusal of specific demands. “Ego,” then, names the economy of compensatory subjectivization driven by the repetition and refusal of demands. The nascent subject presents wants and needs in the form of the demand, but the role of the demand is not the simple fulfillment of these wants and needs. The demand and its refusal are the fulcrum on which the identity and insularity of the subject are produced: an unformed amalgam of needs and articulated demands is transformed into a subject that negotiates the vicissitudes of life with others. Put in the meta- phor of developmental psychology, an infant lodges the instinctual demands of the id on others but these demands cannot be, and for the sake of develop- ment, must not be fulfilled. Thus, pop psychology observations that the incessant demands of children for impermissible objects (“may i have a fourth helping of dessert”) or meanings that culminate in ungroundable authori- tative pronouncements (the game of asking never ending “whys”) are less about satisfaction of a request than the identity-producing effects of the parental “no.” in “The Question of Lay Analysis,” freud argues that “if . . . demands meet with no satisfaction, intolerable conditions arise . . . [and] . . . the ego begins to function. . . . [T]he driving force that sets the vehicle in mo- tion is derived from the id, the ego . . . undertakes the steering. . . . The task of the ego [is] . . . to mediate between the claims of the id and the objections of the external world.”31 Later, in Group Psychology and the Analysis of the Ego, and Civilization and Its Discontents, freud relocates the site of the ego’s genesis beyond the parent/child relationship and in the broader social relationships that animate it. Life with others inevitably produces blockages in the indi- vidual’s attempts to fulfill certain desires, since some demands for the fulfill- ment of desires must be frustrated. This blockage produces feelings of guilt, which in turn are sublimated as a general social morality. The frustration of demand is both productive in that it authorizes social moral codes and, by ex- tension, civilization writ large, although it does so at the cost of imposing a contested relationship between desire and social mores.32 Confronted by student calls to join the movement of 1968 Lacan famously quipped: “as hysterics you demand a new master: you will get it!” under- standing the meaning of his response requires a treatment of Lacan’s theory of the demand and its relationship to hysteria as an enabling and constraining political subject position. Lacan’s theory of the demand picks up at freud’s movement outward from the paradigmatic relationships between the parent/ child and individual/civilization toward a more general account of the sub- ject, sociality, and signification. The infrastructure supporting this theoreti- cal movement transposes freud’s comparatively natural and genetic account of development to a set of metaphors for dealing with the subject’s entry into signification. As already noted, the Lacanian aphorism that “the signifier represents a subject for another signifier inverts the conventional wisdom that a pre-given subject uses language as an instrument to communicate its subjective inten- tions.”33 The paradoxical implication of this reversal is that the subject is simultaneously produced and disfigured by its unavoidable insertion into the space of the Symbolic. An Es assumes an identity as a subject as a way of ac- commodating to the Symbolic’s demands and as a node for producing de- mands on its others or of being recognized as a subject.34 As i have already argued, the demand demonstrates that the enjoyment of one’s own subjectivity is useless surplus produced in the gap between the Es (or it) and the ideal i. As a result, there is excess jouissance that remains even after its reduction to hegemony. This remainder may even be logically prior to hegemony, in that it is a useless but ritually repeated retroactive act of naming the self that produces the subject and therefore conditions possibility for investment in an identitarian configuration. The site of this excess, where the subject negotiates the terms of a non- relationship with the Symbolic, is also the primary site differentiating need, demand, and desire. need approximates the position of the freudian id, in that it is a precursor to demand. Demand is the filtering of the need through signification, but as Sheridan notes, “there is no adequation between need and demand.”35 The same type of split that inheres in the freudian demand inheres in the Lacanian demand, although in Lacan’s case it is crucial to no- tice that the split does not derive from the empirical impossibility of ful- filling demands as much as it stems from the impossibility of articulating needs to or receiving a satisfactory response from the other. Thus, the specificity of the demand becomes less relevant than the structural fact that de- mand presupposes the ability of the addressee to fulfill the demand. This impossibility points to the paradoxical nature of demand: the demand is less a way of addressing need to the other than a call for love and recognition by it. “in this way,” writes Lacan, “demand annuls the particularity of everything that can be granted by transmuting it into a proof of love, and the very satisfactions that it obtains for need are reduced to the level of being no more than the crushing of the demand for love.”36 The other cannot, by definition, ever give this gift: the starting presupposition of the mirror stage is the constitutive impossibility of comfortably inhabiting the Symbolic. The structural impossibility of fulfilling demands resonates with the freudian de- mand in that the frustration of demand produces the articulation of desire. Thus, Lacan argues that “desire is neither the appetite for satisfaction, nor the demand for love, but the difference that results from the subtraction of the first from the second.”37 This sentiment animates the crucial Lacanian claim for the impossibility of the other giving a gift that it does not have, namely the gift of love: “all demand implies . . . a request for love. . . . Desire begins to take shape in the margin in which demand becomes separated from need: this margin being that which is opened up by demand, the appeal of which can be unconditional only in regards to the other . . . having no universal satisfaction. . . . it is this whim that introduces the phantom of omnipotence, not of the subject, but of the other in which his demand is installed.”38 This framing of demand reverses the classically liberal presupposition regarding demand and agency. Contemporary and classical liberal democratic theories presume that the demand is a way of exerting agency and, further, that the more firmly the demand is lodged, the greater the production of an agential effect. The Lacanian framing of the demand sees the relationship as exactly the opposite: the more firmly one lodges a demand, the more desperately one clings to the legitimate ability of an institution to fulfill it. Hypothetically, demands ought reach a kind of breaking point where the inability of an institution or order to proffer a response should produce a reevaluation of the economy of demand and desire. In analytic terms, this is the moment of subtraction, where the manifest content of the demand is stripped away and the desire that underwrites it is laid bare. The result of this “subtraction” is that the subject is in a position to relate to its desire, not as a set of deferrals, avoidances, or transposition but rather as an owned political disposition. As Lacan frames it, demanding subjects are either learning to reassert the centrality of their demand or coming to terms with the impotence of the Other as a satisfier of demands: “But it is in the dialectic of the demand for love and the test of desire that development is ordered. . . . [T]his test of the desire of the Other is decisive not in the sense that the subject learns by it whether or not he has a phallus, but in the sense that he learns that the mother does not have it.”39 The point of this disposition is to bring the subject to a point where they might “recognize and name” their own desire and, as a result, become a political subject in the sense of being able to truly argue for something without being dependent on the other **as a support for or organizing principle for political identity**. Thus, desire has both a general status and a specific status for each subject. It is not just the mirror that produces the subject and its investments but the desire and sets of proxy objects that cover over this original gap. As Easthope puts it: “Lacan is sure that everyone’s desire is somehow different and their own—lack is nevertheless my lack. How can this be if each of us is just lost in language . . . passing through demand into desire, something from the Real, from the individual’s being before language, is retained as a trace enough to determine that I desire here and there, not anywhere and everywhere. Lacan terms this objet petit a . . . petit a is different for everyone; and it can never be in substitutes for it in which I try to refind it.”40 Though individuated, this naming is not about discovering a latently held but hidden interiority, rather it is about naming a practice of thinking the uniqueness of individual subjects as a product of discourses that produce them. Thus, this is an account of political subjectivization that is not solely oriented toward or determined by the locus of the demand but that is also determined by the contingent sets of coping strategies that orient a subject toward others and a political order and serve as the condition of possibility for demands. As Lacan argues, this is the point where a subject becomes a kind of new presence or a new political possibility: “That the subject should come to recognize and to name his desire; that is the efficacious action of analysis. But it isn’t a question of recognizing something which would be entirely given. . . . In naming it, the subject creates, brings forth, a new presence in the world.”41 Alternatively, subjects can stay fixated on the demand, but in doing so they forfeit their desire, or as Fink argues, “an analysis . . . that . . . does not go far enough in constituting the subject as desire leaves him or her stranded at the level of demand . . . unable to truly desire.”42 A politics defined by and exhausted in demands is by definition a hysterical politics. The hysteric is defined by incessant demands on the other at the expense of ever articulating a desire that is theirs. In the Ethics of Psychoanalysis, Lacan argues that the hysteric’s demand that the Other produce an object is the support of an aversion toward one’s desire: “the behavior of the hysteric, for example, has as its aim to recreate a state centered on the object, insofar as this object . . . is . . . the support of an aversion.”43 This economy of aversion explains the ambivalent relationship between hysterics and their demands. On one hand, the hysteric asserts their agency, even authority, over the Other. Yet, what appears as unfettered agency from the perspective of a discourse of authority is also simultaneously a surrender of desire by enjoying the act of figuring the other as the one with the exclusive capability to satisfy the demand. Thus, “as hysterics you demand a new master: you will get it!” At the register of manifest content, demands are claims for action and seemingly powerful, but at the level of the rhetorical form of the demand or in the register of enjoyment, demand is a kind of surrender. As a relation of address the hysterical demand is more a demand for recognition and love from an ostensibly repressive order than a claim for change. The limitation of the students’ call on Lacan does not lie in the end they sought but in the fact that the hysterical address never quite breaks free from its framing of the master. The fundamental problem of democracy is not articulating resistance over and against hegemony but rather the practices of enjoyment that sustain an addiction to mastery and a deferral of desire. Hysteria is a politically effective subject position in some ways, but it is politically constraining from the perspective of organized political dissent. If not a unidirectional practice of resistance, hysteria is at best a politics of interruption. Imagine a world where the state was the perfect and complete embodiment of a hegemonic order, without interruption or remainder, and the discursive system was hermetically closed. Politics would be an impossibility: with no site for contest or reappropriation, politics would simply be the automatic extension of structure. Hysteria is a site of interruption, in that hysteria represents a challenge to our hypothetical system, refusing straightforward incorporation by its symbolic logic. But, stepping outside this hypothetical non-polity, on balance, hysteria is politically constraining because the form of the demand, as a way of organizing the field of political enjoyment, requires that the system continue to act in certain ways to sustain its logic. Though on the surface it is an act of symbolic dissent, hysteria represents an affirmation of a hegemonic order and is therefore a particularly fraught form of political subjectivization. The case of the hysteric produces an additional problem in defining jou- issance as equivalent with hegemony. one way of defining hysteria is to say that it is a form of enjoyment that is defined by its very disorganization. As Gérard Wajcman frames it, the fundamental analytical problem in defining hysteria is precisely that it is a paradoxical refusal of organized enjoyment by a constant act of deferral. This deferral functions by asserting a form of agency over the other while simultaneously demanding that the other pro- vide an organizing principle for hysterical enjoyment, something the other cannot provide. Hysteria never moves beyond the question or the riddle, as Wajcman argues: the “hysteric . . . cannot be mastered by knowledge and therefore remains outside of history, even outside its own. . . . [i]f hysteria is a set of statements about the hysteric, then the hysteric is what eludes those statements, escapes this knowledge. . . . [T]he history of hysteria bears witness to something fundamental in the human condition—being put under pressure to answer a question.”44 Thus, a difficulty for a relatively formal/ structural account of hegemony as a substitute for jouissance without reduc- tion: where is the place for a practice of enjoyment that by its nature eludes naming in the order of knowledge? This account of hysteria provides a sig- nificant test case for the equation between jouissance and hegemony, for the political promise and peril of demands and ultimately for the efficacy of a hysterical politics. But the results of such a test can only be born out in the realm of everyday politics. On Resistance: The Dangers of Enjoying One’s Demands The demands of student revolutionaries and antiglobalization protestors provide a set of opportunities for interrogating hysteria as a political practice. for the antiglobalization protestors cited earlier, demands to be added to a list of dangerous globophobes uncannily condense a dynamic inherent to all demands for recognition. But the demands of the Mexico Solidarity net- work and the Seattle independent Media project demand more than recognition: they also demand danger as a specific mode of representation. “Danger” functions as a sign of something more than inclusion, a way of reaffirming the protestors’ imaginary agency over processes of globalization. if danger represents an assertion of agency, and the assertion of agency is proportional to the deferral of desire to the master upon whom the demand is placed, then demands to be recognized as dangerous are doubly hysterical. Such demands are also demands for a certain kind of love, namely, the state might extend its love by recognizing the dangerousness of the one who makes the demand. At the level the demand’s rhetorical function, dangerousness is metonymically connected with the idea that average citizens can effect change in the prevailing order, or that they might be recognized as agents who, in the instance of the list of globalophobic leaders, can command the Mexican state to re- affirm their agency by recognizing their dangerousness. The rhetorical structure of danger implies the continuing existence of the state or governing apparatus’s interests, and these interests become a nodal point at which the hysterical demand is discharged. This structure generates enjoyment of the existence of oppressive state policies as a point for the articulation of identity. The addiction to the state and the demands for the state’s love is also bound up with a fundamental dependency on the oppression of the state: otherwise the identity would collapse. Such demands constitute a reaffirmation of a hysterical subject position: they reaffirm not only the subject’s marginality in the global system but the danger that protestors present to the global system. There are three practical implications for this formation. first, for the hysteric the simple discharge of the demand is both the be- ginning and satisfaction of the political project. Although there is always a nascent political potential in performance, in this case the performance of demand comes to fully eclipse the desires that animate content of the demand. Second, demand allows institutions that stand in for the global order to dictate the direction of politics. This is not to say that engaging such in- stitutions is a bad thing; rather, it is to say that when antagonistic engage- ment with certain institutions is read as the end point of politics, the field of political options is relatively constrained. Demands to be recognized as dan- gerous by the Mexican government or as a powerful antiglobalization force by the WTo often function at the cost of addressing how practices of glob- alization are reaffirmed at the level of consumption, of identity, and so on or in thinking through alternative political strategies for engaging globalization that do not hinge on the state and the state’s actions. Paradoxically, the third danger is that an addiction to the refusal of demands creates a paralyzing disposition toward institutional politics. Grossberg has identified a tendency in left politics to retreat from the “politics of policy and public debate.”45 Although Grossberg identifies the problem as a specific coordination of “theory” and its relation to left politics, perhaps a hysterical commitment to marginality informs the impulse in some sectors to eschew engagements with institutions and institutional debate. An addiction to the state’s refusal often makes the perfect the enemy of the good, implying a stifling commitment to political purity as a pretext for sustaining a structure of enjoyment dependent on refusal, dependent on a kind of paternal “no.” instead of seeing institutions and policy making as one part of the political field that might be pressured for contingent or relative goods, a hys- terical politics is in the incredibly difficult position of taking an addressee (such as the state) that it assumes represents the totality of the political field; simultaneously it understands its addressee as constitutively and necessarily only a locus of prohibition. These paradoxes become nearly insufferable when one makes an analyti- cal cut between the content of a demand and its rhetorical functionality. At the level of the content of the demand, the state or institutions that repre- sent globalization are figured as illegitimate, as morally and politically com- promised because of their misdeeds. Here there is an assertion of agency, but because the assertion of agency is simultaneously a deferral of desire, the identity produced in the hysterical demand is not only intimately tied to but is ultimately dependent on the continuing existence of the state, hegemonic order, or institution. At the level of affective investment, the state or institution is automatically figured as the legitimate authority over its domain. As Lacan puts it: “demand in itself . . . is demand of a presence or of an absence . . . pregnant with that other to be situated within the needs that it can satisfy. Demand constitutes the other as already possessing the ‘privilege’ of satisfying needs, that it is to say, the power of depriving them of that alone by which they are satisfied.”46 one outcome of framing demand as an affective and symbolic process tied to a set of determinate rhetorical functions enjoins against the simple celebration of demands as either exclusively liberatory, as unproblematic modes of resistance, as exhausting the political, or as nodes for the production of political identity along the lines of equivalence. Alternatively, a politics of desire requires that the place of the demand in a political toolbox ought to be relativized: demands are useful as a precursor to articulating desire; they are important when moored to a broader political strategy; but they are dangerous if seen as the summum bonum of political life. A politics of desire thus functions simply as a negative constraint on the efficacy of a politics of demand, and as a practice a politics of desire asks that political subjects constantly test their demands against the measure of desire or against an explicitly owned set of political investments that envision an alternative world. it is the presence of this alternative, explicitly owned as a desired end state of the political, that might become the prerequisite for desire-based solidarities in- stead of demand-driven affinities, and as such, a politics of desire recognizes the inevitability and productivity of frustrated demand as part and parcel of antagonistic democratic struggle.

#### No connection between in-round prescription and out-of-round solvency: the legal system is predisposed to ignoring plan-style advocacies. The repeated assertion that “prescription is politics” locks academics inside a circular and failing mode of subjectivity. The in-round impact is massive violence

Schlag ‘9 (Pierre, Distinguished Prof. @ U. of Colorado and Byron R. White Professor @ Colorado Law School, “Spam Jurisprudence, Air Law, and the Rank Anxiety of Nothing Happening (A Report on the State of the Art)” 97 Geo. L. J. 803, pp. 828-830)

In terms of social organization then, there may be something to be said for creating a professional corps (lawyers) whose modes of communication are widely shared and relatively standardized. Notice that if this is the objective, then the only place where that sort of standardized communication can be widely shared is somewhere close to the middle of the bell curve. Both intellectual sloth and intellectual excellence are, by definition, aberrant and thus detract from our efforts at standardization.

Thus, training for mediocrity does serve a social function (within limits, of course). Mediocrity is not the only aim here. One would like this mediocrity to be the best it can be. We would like legal professionals to share a language and a mode of thought and, at the same time, for that language and mode of thought to be as perspicuous and intelligent as possible. Given the omnipresence of the bell curve, these desiderata are obviously in tension. The economists would likely talk about achieving “the optimal degree” of intelligence and mediocrity at the margin, but my sense is this will only get us so far.

For law professors, the tension is bound to be somewhat frustrating. What many law professors would like—because many of them are intellectually inclined—is to bring intelligence to bear within legal discourse. This is bound to be a somewhat frustrating venture. Legal discourse is not designed to produce intelligence and, frankly, the materials and the discourse can only bear so much.

Good judgment, groundedness, reasonableness—any of these virtues is often enough to snuff out real thinking. Indeed, whatever appeal good judgment, groundedness, and reasonableness may have for a judge or a lawyer (and I am prepared to say the appeal is considerable), such virtues are not particularly helpful to intellectual achievement. On the contrary, intellectual achievement requires the abandonment of received understandings. In fact, I would go so far as to say that intellectual vitality (at least in the context of a discipline like law) requires some degree of defamiliarization, some reach for the exotic. The thing is, those sorts of efforts are not going to get very far if they constantly have to answer to good judgment, groundedness, reasonableness, and the like.

And at this point, I would like to flip the argument made earlier in the paper. Here, I would like us to think of appeals to good judgment, groundedness, and reasonableness in legal thought as appeals to mediocrity. Making people see things involves things far different from good judgment, groundedness, or reasonableness. It involves a kind of artistry—a reorientation of the gaze, a disruption of complacency, a sabotage of habitual forms of thought, a derailing of cognitive defaults. This is part of what a really good education is about. Constant obeisance to good judgment or groundedness or reasonableness, by contrast, will systematically frustrate such efforts.57

This is all rather vexing. Legal academics—with aspirations to intellectual excellence—are thus destined to play out the myth of Sisyphus. The main difference, of course, is that Sisyphus had a real rock to push up a real hill. The law professors’ rock and hill, by contrast are symbolic—imaginative constructions of their own making. Arguably, pushing a symbolic rock up a symbolic hill is substantially easier than doing it for real. At the very least, it is easier to fake it and to claim success. At the same time, though, the symbolic nature of the exercise perhaps makes it more transparently pointless. As between these two points, there is a certain dissonance. On the one hand, we are dealing with pushing rocks up hills—and that is surely hard work. On the other hand, the rocks and hills are of our own imagination—so it should be easy. This is very confusing.58 My best guess (and I offer this only as a preliminary hypothesis) is that the dissonance here might yield a certain degree of neurosis.59

Still the question pops up again: “So what?” So what—so you have maybe seven thousand-something law professors in the nation and you know, maybe ninety-six percent are engaged in a kind of vaguely neurotic scholarship. So what? Maybe it’s borderline tragic. Maybe, these people could have done so much better. None of this, by the way, is clearly established. But let’s just assume, it’s true.

Who cares? Seven thousand people—that’s not a lot of people. Plus, it’s hard to feel for them. I know that nearly all of them would be us (but still). It’s an extraordinarily privileged life. So why care about this?

Here’s why. The thing about legal scholarship is that it plays—through the mediation of the professorial mind—an important role in shaping the ways, the forms, in which law students think with and about law.60 If they are taught to think in essentially mediocre ways, they will reproduce those ways of thinking as they practice law and politics. If they are incurious, if they are lacking in political and legal imagination, if they are simply repeating the standard moves (even if with impressive virtuosity) they will, as a group, be wielding power in essentially mediocre ways. And the thing is: when mediocrity is endowed with power, it yields violence. And when mediocrity is endowed with great power, it yields massive violence.61

All of which is to say that in making the negotiation between the imprinting of standard forms of legal thought and the imparting of an imaginative intelligence, we err too much on the side of the former. (Purely my subjective call here—but so is everybody else’s.) Another way to put it is that while there is something to be said for the standardization point made earlier, generally, standardization is overdone.62

**Their attempts to set the terms for debate before it even begins is gatekeeping- students are currently locked out of debate meaning any discussion of “participatory parity” is meaningless and results in exclusionary. Berube 3**

[Berube is the Paterno Family Professor in Literature at Pennsylvania State University, May 1, 2003, Citizenship and Disability, Dissent Magazine, <http://www.alternet.org/story/15809/citizenship_and_disability>] BLUE

**Imagine a building in which political philosophers are debating, in the wake of the attacks of September 11, 2001, the value and the purpose of participatory parity over against forms of authoritarianism or theocracy. Now imagine that this building has no access ramps, no Braille or large-print publications, no American Sign Language interpreters, no elevators, no special-needs paraprofessionals, no in-class aides.** Contradictory as such a state of affairs may sound, it's a reasonably accurate picture of what contemporary debate over the meaning of democracy actually looks like. How can we remedy this? **Only when we have fostered equal participation in debates over the ends and means of democracy can we have a truly participatory debate over what "participatory parity" itself means. That debate will be interminable in principle, since our understandings of democracy and parity are infinitely revisable,** but lest we think of deliberative democracy as a forensic society dedicated to empyreal reaches of abstraction, **we should remember that debates over the meaning of participatory parity set the terms for more specific debates about the varieties of human embodiment. These include debates about prenatal screening, genetic discrimination, stem-cell research, euthanasia, and, with regard to physical access, ramps, curb cuts, kneeling buses, and buildings employing what is now known as universal design.** Leftists and liberals, particularly those associated with university humanities departments, are commonly charged with being moral relativists, unable or unwilling to say (even after September 11) why one society might be "better" than another. So let me be especially clear on this final point. I think there's a very good reason to extend the franchise, to widen the conversation, to democratize our debates, and to make disability central to our theories of egalitarian social justice. **The reason is this: a capacious and supple sense of what it is to be human is better than a narrow and partial sense of what it is to be human, and the more participants we as a society can incorporate into the deliberation of what it means to be human, the greater the chances that that deliberation will in fact be transformative in such a way as to enhance our collective capacities to recognize each other as humans entitled to human dignity.** As Jamie reminds me daily, both deliberately and unwittingly, most Americans had no idea what people with Down syndrome could achieve until we'd passed and implemented and interpreted and reinterpreted a law entitling them all to a free appropriate public education in the least restrictive environment. I can say all this without appealing to any innate justification for human dignity and human rights, and I can also say this: **Without a sufficient theoretical and practical account of disability, we can have no account of democracy worthy of the name.**

#### When confronted with the idea of the future – the question should not be how we approach the future but *why the future* – the 1ACs futurity is rooted in eugenics – instead of affirming the future, affirm the politics of the now.

Mollow 15 (The Disability Drive by Anna Mollow A dissertation submitted in partial satisfaction of the requirements for the degree of Doctor of Philosophy in English in the Graduate Division of the University of California, Berkeley Committee in charge: Professor Kent Puckett, Chair Professor Celeste G. Langan Professor Melinda Y. Chen Spring 2015) BL

Elsewhere, I have argued that No Future‟s impassioned polemic is one that disability studies might take to heart.109 Indeed, the figure that Edelman calls “the disciplinary image of the „innocent‟ Child” is inextricable not only from queerness but also from disability (19). For example, the Child is the centerpiece of the telethon, a ritual display of pity that demeans disabled people. When Jerry Lewis counters disability activists‟ objections to his assertion that a disabled person is “half a person,” he insists that he is only fighting for the Children: “Please, I‟m begging for survival. I want my kids alive,” he implores (in Johnson, Too Late 53, 58). If the Child makes an excellent alibi for ableism, perhaps this is because, as Edelman points out, the idea of not fighting for this figure is unthinkable. Thus, when Harriet McBryde Johnson hands out leaflets protesting the Muscular Dystrophy Association, a confused passerby cannot make sense of what her protest is about. “You‟re against Jerry Lewis!” he exclaims (61). The passerby‟s surprise is likely informed by a logic similar to that which, in Edelman‟s analysis, undergirds the use of the word “choice” by advocates of legal abortion: “Who would, after all, come out for abortion or stand against reproduction, against futurity, and so against life?” (16). Similarly, why would anyone come out for disability, and so against the Child who, without a cure, might never walk, might never lead a normal life, might not even have a future at all? 69 The logic of the telethon, in other words, relies on an ideology that might be defined as “rehabilitative futurism,” a term that I coin to overlap and intersect with Edelman‟s notion of “reproductive futurism.” If, as Edelman maintains, the future is envisaged in terms of a fantasmatic “Child,” then the survival of this future-figured-as-Child is threatened by both queerness and disability. Futurity is habitually imagined in terms that fantasize the eradication of disability: a recovery of a “crippled” or “hobbled” economy, a cure for society‟s ills, an end to suffering and disease. Eugenic ideologies are als=o grounded in both reproductive and rehabilitative futurism: procreation by the fit and elimination of the disabled, eugenicists promised, would bring forth a better future.110 But before disability studies considers taking No Future as a text of our own, we may first wish to consider Edelman‟s take on disability. In support of his argument that our culture‟s fetishization of the Child is determined by an inherent “morbidity,” Edelman‟s Exhibit A is Tiny Tim: Take, for example, Tiny Tim—or even, with a nod to the spirit of the late Henny Youngman, “take Tiny Tim, please!” His “withered little hand,” as if in life already dead, keeping us all in a stranglehold as adamant as the “iron frame” supporting his “little limbs” . . . ; his “plaintive little voice” . . . refusing any and every complaint the better to assure its all-pervasive media magnification, in the echoes of which, year in and year out, God blasts us, every one . . . and his “patient and . . . mild” . . . disposition so thoroughly matching the perfect humility of its coercive self-display that his father with “tremulous” voice recalls how Tiny Tim “hoped the people saw him in the church, because he was a cripple, and it might be pleasant to them to remember upon Christmas Day, who made lame beggars walk, and blind men see.” . . . Very pleasant indeed. And more pleasant by half than remembering, instead, who made lame beggars lame (and beggars) and who made those blind men blind. But then, A Christmas Carol would have us believe that we know whom to blame already, know as surely as we know who would silence the note of that plaintive little voice and require that the “active little crutch” . . . kick the habit of being leaned on. (41-42) The preceding passage presents some barriers to a disability studies adoption, as it evinces no particular interest in the politics of disability oppression. For example, the “who” that might “require that the „active little crutch‟ kick the habit of being leaned on” is not, as this formulation might suggest in another context, an ableist rehab counselor or occupational therapist. It refers rather to Scrooge, Edelman‟s first example of a “canonical literary instantiation” of what he calls “sinthomo-sexuality,” his neologism for an antisocial force affined with queerness and the death drive (39). If No Future has a hero, it is the sinthomosexual, a cold, “inhuman,” anti-Child type like Scrooge (108). Remarking that Scrooge “almost seems to rebuff the very warm-bloodedness of mammalian vitality,” Edelman points to Scrooge‟s intrinsic chilliness (“the cold within him,” the “frosty rime…on his head”) as evidence that this character is a “textbook-perfect example of the death drive” (44). This raises a question: if Scrooge, the antagonist of A Christmas Carol‟s heartwarming “cripple,” embodies everything that‟s cool about “queer,” does this mean that, according to the logic of No Future, the uncool antithesis of queerness is…disability? Not necessarily. A close examination of the binary that Edelman constructs between “the Child” and “the queer” reveals that disability can be found on both sides of this paradigm. 70 Disability shows up on the side of the Child in Edelman‟s analysis of Tiny Tim; in his description (in an earlier version of No Future‟s first chapter) of an antiabortion billboard as a “poster child for children”; in his characterization of the Catholic church as “blindly committed to the figure of the Child”; and in his depiction of “the self” as a “prosthesis maintaining the future for the figural Child” (“Kid” 24; No Future 29, 30). But disability appears on the side of the queer in Edelman‟s references to Scrooge‟s “stiffened” “gait”; in the character of Captain Hook, whom Edelman describes as embodying “a drive toward death that entails the destruction of the Child”; and in Leonard, the villainous sinthomosexual of North by Northwest, whom Edelman describes as “deaf to claims of human fellowship” (44, 21, 20). Tropes of disability are also present in what Edelman reads as Jean Baudrillard‟s “panicky offensive against reproduction without heterogenital copulation,” in which sex is described as devolving into a “useless function” and humans are distinguished (unsuccessfully, Edelman argues) from “the order of the virus” (qtd. in Edelman 64, 62).111 Edelman‟s apt reading of these remarks by Baudrillard in relation to what was once called “the gay plague,” as well as his own plays on the word “bent,” suggest that it can be difficult, in homophobic and ableist culture, to distinguish between queerness and disability (62, 90).112 Anti-queer religious leaders, Edelman notes, characterize queer sexualities as “unhealthy” and “ugly,” and “ministries of hope” offer cures to those who have “grown sick-to-death of being queer” (91, 47). 113 Against the “pathology” or “social disease” as which queerness is diagnosed, queer-baiting of children, Edelman argues, functions as a form of “antigay immunization,” while the narrative of A Christmas Carol serves as an annual “booster shot” (143, 19, 49). These repetitive references to disability suggest that not only queerness but also disability might be a fitting name for what Edelman, alluding to the death drive, calls “the remainder of the Real internal to the Symbolic order” (25). Indeed, disability metaphors are often the closest approximations that Edelman can find for the “unnameable” death drive (25). The terms that Edelman uses to describe the death drive include “wound,” “fracture,” “stupid enjoyment,” “mindless violence,” “lifeless machinery,” “senseless compulsion,” “disfiguration,” and a “shutdown of life‟s vital machinery” (No Future 22; “Kid” 28; No Future 38, 23, 27, 38, 37, 44). Although these signifiers do not directly refer to specific impairments, they do, taken together, evoke the physical and mental injury and dysfunction as which disability is commonly understood. And then there is Edelman‟s term “sinthomosexuality,” a neologism formed by “grafting, at an awkward join,” the word “sexuality” onto Lacan‟s term “sinthome.” With its “awkward” “grafting,” the word “sinthomosexuality” embodies disability at the level of the letter.114 Etymologically, too, Edelman‟s term harkens back to disability: “sinthome” is an archaic way of spelling the French word for “symptom” (qtd. in Edelman 33). The root meaning of “sinthomosexuality,” then, is something like “symptom-sexuality.” However, Lacan‟s “sinthome” means more than simply “symptom”: it refers, Edelman explains, to “the particular way each subject manages to knot together the orders of the Symbolic, the Imaginary, and the Real” (35). The sinthome is the only means by which the subject can access the Symbolic order of meaning production; but paradoxically, because each subject‟s sinthome is arbitrary and meaningless (as individual as a fingerprint), the sinthome also threatens the Symbolic order to which it provides access (36). Both this access and this threat are figured as disability. In order to be constituted as a subject and to take one‟s place within the Symbolic order, one must be metaphorically blind: the cost of subjectivity is “blindness to this determination by the sinthome,” “blindness to the 71 arbitrary fixation of enjoyment responsible for [the subject‟s] consistency,” “blindness” to the functioning of the sinthome (Edelman 36, 38). The alternative to subjectivity as disability would be, according to remarks that Edelman attributes to Lacan, “radical psychotic autism” (qtd. in Edelman 37).115 That is, whatever might alleviate our constitutive “blindness” by exposing “the sinthome as meaningless knot” must effect a “disfiguration” (Edelman 38), the consequences of which would be “pure autism” (Žižek 81, qtd. in Edelman 38). On the one side, blindness; on the other, disfiguration, psychosis, autism: when it comes to recognizing the senselessness of one‟s sinthome, it seems we‟re disabled if we do, disabled if we don‟t.

#### **The 1acs constant attempt to eradicate death reveals their subconscious desire to eradicate the sick subject**

Hughes Disability and Social Theory pp 17-32 | Civilising Modernity and the Ontological Invalidation of Disabled People Authors Authors and affiliations Bill Hughes-

Ableism rests on the effort to eliminate from awareness, chaos, abjection, animality and death: all that civilisation seeks to repress. It encourages us to live in the false hope that we will not suffer and die, to adopt a perspective of invulnerability, to confuse morality with beauty and to see death, pain and disability as the repulsive woes of mortality rather than as the existen- tial basis for community and communication. Kolnai (2004: 74) reminds us that, ‘in its full intention, it is death ... that announces itself to us in the phenomenon of disgust’. Disability, in modernity, has been produced in the ontological household of the abject, as the antithesis of communica- tion and community, in a place that we might on occasion peer into only to ‘choke’ on the unsavoury sights that greet us. Disability is put out, put away, hidden, segregated or transformed into its opposite, covered up by whatever medical or aesthetic techniques are available to achieve this end. Any opportunity that disability might have to take its place at the heart of communication and community is thwarted by the ablest sensibilities that push it back down among the disgusting, the sick, the dead and the dying. In fact, as Elias (2000) suggested, the making of ‘civilised’ community and communication in modernity proceeds by exclusion and interdiction, by cutting out and hiding away whatever causes or might come to inspire angar (choking) or anguista (tightness).