### 1

#### A. Interpretation: If the affirmative defends anything other than member nations of the World Trade Organization ought to reduce intellectual property protections for medicines then they must provide a counter-solvency advocate for their specific advocacy in the 1AC. *(To clarify, you must have an author that states we should not do your aff, insofar as the aff is not a whole res phil aff)*

#### B. Violation: they do

#### C. Standards:

#### 1. Fairness – This is a litmus test to determining whether your aff is fair –

#### a) Limits – there are infinite things you could defend outside the exact text of the resolution which pushes you to the limits of contestable arguments, even if your interp of the topic is better, the only way to verify if it’s substantively fair is proof of counter-arguments. Nobody knows your aff better than you, so if you can’t find an answer, I can’t be expected to. Our interp narrows out trivially true advocacies since counter-solvency advocates ensure equal division of ground for both sides.

#### b) Shiftiness-Having a counter-solvency advocate helps us conceptualize what their advocacy is and how it’s implemented. Intentionally ambiguous affirmatives we don’t know much about can’t spike out of DA’s and CP’s if they have an advocate that delineates these things.

2. Research – Forces the aff to go to the other side of the library and contest their own view points, as well as encouraging in depth-research about their own position. Having one also encourages more in-depth answers since I can find responses. Key to education since we definitionally learn more about positions when we contest our own.

### 2

#### The standard is maximizing expected wellbeing

#### 1] Actor specificity: A] Governments must aggregate since every policy benefits some and harms others, which also means side constraints freeze action. B] States lack wills or intentions since policies are collective actions. Actor-specificity comes first since different agents have different ethical standings. Takes out util calc indicts since they’re empirically denied and link turns them because the alt would be *no* action.

#### 2] Util is a lexical pre-requisite to any other framework – Threats to bodily security and life preclude the ability for moral actors to effectively utilize and act upon other moral theories since they are in a constant state of crisis that inhibit the ideal moral conditions which other theories presuppose – so, util comes first and my offense outweighs theirs under their own framework.

#### 3] Weighability – only consequentialism explains degrees of wrongness—if I break a promise to meet up for lunch, that is not as bad as breaking a promise to take a dying person to the hospital. Only the consequences of breaking the promise explain why the second one is much worse than the first. Intuitions outweigh—they’re the foundational basis for any argument and theories that contradict our intuitions are most likely false even if we can’t deduce why.

#### 4] No act-omission distinction—governments are responsible for everything in the public sphere so inaction is implicit authorization of action: they have to yes/no bills, which means everything collapse to aggregation.

#### 5] No intent-foresight distinction – If we’re knowledgeable about the consequence of an action then we calculate that into our intention because we could always decide not to act. Thus means based theories devolve to util.

#### 6] Epistemic modesty - Substantively true since it maximizes the probability of achieving net most moral value—beating a framework acts as mitigation to their impacts but the strength of that mitigation is contingent.

#### 7] Extinction outweighs under any framework

Pummer 15 [Theron, Junior Research Fellow in Philosophy at St. Anne's College, University of Oxford. “Moral Agreement on Saving the World” Practical Ethics, University of Oxford. May 18, 2015] AT

There appears to be lot of disagreement in moral philosophy. Whether these many apparent disagreements are deep and irresolvable, I believe there is at least one thing it is reasonable to agree on right now, whatever general moral view we adopt: that it is very important to reduce the risk that all intelligent beings on this planet are eliminated by an enormous catastrophe, such as a nuclear war. How we might in fact try to reduce such existential risks is discussed elsewhere. My claim here is only that we – whether we’re consequentialists, deontologists, or virtue ethicists – should all agree that we should try to save the world. According to consequentialism, we should maximize the good, where this is taken to be the goodness, from an impartial perspective, of outcomes. Clearly one thing that makes an outcome good is that the people in it are doing well. There is little disagreement here. If the happiness or well-being of possible future people is just as important as that of people who already exist, and if they would have good lives, it is not hard to see how reducing existential risk is easily the most important thing in the whole world. This is for the familiar reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. There are so many possible future people that reducing existential risk is arguably the most important thing in the world, even if the well-being of these possible people were given only 0.001% as much weight as that of existing people. Even on a wholly person-affecting view – according to which there’s nothing (apart from effects on existing people) to be said in favor of creating happy people – the case for reducing existential risk is very strong. As noted in this seminal paper, this case is strengthened by the fact that there’s a good chance that many existing people will, with the aid of life-extension technology, live very long and very high quality lives. You might think what I have just argued applies to consequentialists only. There is a tendency to assume that, if an argument appeals to consequentialist considerations (the goodness of outcomes), it is irrelevant to non-consequentialists. But that is a huge mistake. Non-consequentialism is the view that there’s more that determines rightness than the goodness of consequences or outcomes; it is not the view that the latter don’t matter. Even John Rawls wrote, “All ethical doctrines worth our attention take consequences into account in judging rightness. One which did not would simply be irrational, crazy.” Minimally plausible versions of deontology and virtue ethics must be concerned in part with promoting the good, from an impartial point of view. They’d thus imply very strong reasons to reduce existential risk, at least when this doesn’t significantly involve doing harm to others or damaging one’s character. What’s even more surprising, perhaps, is that even if our own good (or that of those near and dear to us) has much greater weight than goodness from the impartial “point of view of the universe,” indeed even if the latter is entirely morally irrelevant, we may nonetheless have very strong reasons to reduce existential risk. Even egoism, the view that each agent should maximize her own good, might imply strong reasons to reduce existential risk. It will depend, among other things, on what one’s own good consists in. If well-being consisted in pleasure only, it is somewhat harder to argue that egoism would imply strong reasons to reduce existential risk – perhaps we could argue that one would maximize her expected hedonic well-being by funding life extension technology or by having herself cryogenically frozen at the time of her bodily death as well as giving money to reduce existential risk (so that there is a world for her to live in!). I am not sure, however, how strong the reasons to do this would be. But views which imply that, if I don’t care about other people, I have no or very little reason to help them are not even minimally plausible views (in addition to hedonistic egoism, I here have in mind views that imply that one has no reason to perform an act unless one actually desires to do that act). To be minimally plausible, egoism will need to be paired with a more sophisticated account of well-being. To see this, it is enough to consider, as Plato did, the possibility of a ring of invisibility – suppose that, while wearing it, Ayn could derive some pleasure by helping the poor, but instead could derive just a bit more by severely harming them. Hedonistic egoism would absurdly imply she should do the latter. To avoid this implication, egoists would need to build something like the meaningfulness of a life into well-being, in some robust way, where this would to a significant extent be a function of other-regarding concerns (see chapter 12 of this classic intro to ethics). But once these elements are included, we can (roughly, as above) argue that this sort of egoism will imply strong reasons to reduce existential risk. Add to all of this Samuel Scheffler’s recent intriguing arguments (quick podcast version available here) that most of what makes our lives go well would be undermined if there were no future generations of intelligent persons. On his view, my life would contain vastly less well-being if (say) a year after my death the world came to an end. So obviously if Scheffler were right I’d have very strong reason to reduce existential risk. We should also take into account moral uncertainty. What is it reasonable for one to do, when one is uncertain not (only) about the empirical facts, but also about the moral facts? I’ve just argued that there’s agreement among minimally plausible ethical views that we have strong reason to reduce existential risk – not only consequentialists, but also deontologists, virtue ethicists, and sophisticated egoists should agree. But even those (hedonistic egoists) who disagree should have a significant level of confidence that they are mistaken, and that one of the above views is correct. Even if they were 90% sure that their view is the correct one (and 10% sure that one of these other ones is correct), they would have pretty strong reason, from the standpoint of moral uncertainty, to reduce existential risk. Perhaps most disturbingly still, even if we are only 1% sure that the well-being of possible future people matters, it is at least arguable that, from the standpoint of moral uncertainty, reducing existential risk is the most important thing in the world. Again, this is largely for the reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. (For more on this and other related issues, see this excellent dissertation). Of course, it is uncertain whether these untold trillions would, in general, have good lives. It’s possible they’ll be miserable. It is enough for my claim that there is moral agreement in the relevant sense if, at least given certain empirical claims about what future lives would most likely be like, all minimally plausible moral views would converge on the conclusion that we should try to save the world. While there are some non-crazy views that place significantly greater moral weight on avoiding suffering than on promoting happiness, for reasons others have offered (and for independent reasons I won’t get into here unless requested to), they nonetheless seem to be fairly implausible views. And even if things did not go well for our ancestors, I am optimistic that they will overall go fantastically well for our descendants, if we allow them to. I suspect that most of us alive today – at least those of us not suffering from extreme illness or poverty – have lives that are well worth living, and that things will continue to improve. Derek Parfit, whose work has emphasized future generations as well as agreement in ethics, described our situation clearly and accurately: “We live during the hinge of history. Given the scientific and technological discoveries of the last two centuries, the world has never changed as fast. We shall soon have even greater powers to transform, not only our surroundings, but ourselves and our successors. If we act wisely in the next few centuries, humanity will survive its most dangerous and decisive period. Our descendants could, if necessary, go elsewhere, spreading through this galaxy…. Our descendants might, I believe, make the further future very good. But that good future may also depend in part on us. If our selfish recklessness ends human history, we would be acting very wrongly.” (From chapter 36 of On What Matters)

### 3

#### The plan collapses medical and biotech innovation by signaling weakened IPRs.

Debbie Hart 21. The president and CEO of BioNJ. MD. 2021. “Waiving IP rights for COVID-19 vaccines is dangerous for innovation, jobs and patients.” https://www.northjersey.com/story/opinion/2021/07/31/covid-19-vaccines-we-shouldnt-waive-ip-rights/5432438001/

#### Unfortunately, the U.S. recently announced that it would support a World Trade Organization proposal to waive intellectual property protections for COVID-19 vaccines, a decision that would create a negative ripple effect on the innovation sector in New Jersey and beyond and the very patients who need safe and effective vaccines and treatments the most. Waiving IP protections would threaten the future development of innovative treatments in the most critical moments and ignore more effective ways to ensure global vaccine access during a crisis that don’t put innovation and patients in jeopardy. IP protections on medical products exist to give patients confidence that they will receive treatments that are backed by rigorous safety and efficacy standards and ensure companies can continue to develop innovative drugs for complex disease. Known commonly as the “TRIPS” waiver, WTO proposed the IP waiver under the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), an international legal agreement between all member nations of the WTO. The intent may be right – to expand access to lifechanging vaccines across the globe — but the consequences could be vast and dangerous. Waiving IP protections for COVID-19 vaccines that showcase the very best of the biopharmaceutical sector — including the companies that call New Jersey home — not only doesn’t guarantee faster rollout for vaccines abroad but could undermine the standards for these drugs and the supply chain that has demonstrated efficacy throughout the pandemic. The notion that waiving IP protections is critical to saving lives abroad diminishes the work that American companies have done to develop groundbreaking drugs and undermines their continued commitment to saving lives and changing the way we treat and manage complex diseases. There are alternative solutions, including the Biotechnology Innovation Organization’s proposed Global “SHARE” Program, which would ensure continued global vaccine access without threatening American jobs and innovation. There is no question that the fight is not over against COVID-19. But disrupting the production of these difficult to manufacture vaccines and threatening future drug developments is not the way to solve the ongoing challenges of the pandemic. Instead, we should bolster the existing manufacturing framework, hardworking Americans, and valuable science here in New Jersey and across the country. In New Jersey alone, more than 70 companies continue to work to combat the effects of the coronavirus. This approach not only secures U.S. jobs and the homegrown innovation that are central pillars of the Biden Administration, but continues to achieve the global objective of turning the corner on the COVID-19 pandemic. All of the more than 160 member countries of the WTO must support such a wavier for it to move forward, so we await next steps. But we hope the Biden Administration will see how such a decision would change the trajectory of the COVID-19 response, innovation for New Jersey, and the entire U.S. economy. It is imperative that we work together to put shots in more arms in a time of crisis. But this is not the way to do it.

#### The plan undermines investor confidence, preventing investment in biomedicine across the board.

Daniel J. Staudt 21. Chief IP Counsel at Siemens LLC. 2021. Waiving IP Rights: The Wrong Path to the Right Goals.” https://www.ipwatchdog.com/2021/06/15/waiving-ip-rights-the-wrong-path-to-the-right-goals/id=134546/

In terms of ending the pandemic as soon as possible, the *Washington Post* got it right in its [May 4 editorial](https://www.washingtonpost.com/opinions/global-opinions/how-to-help-the-poorest-countries-get-vaccinated/2021/05/03/18d5b79a-ac3a-11eb-acd3-24b44a57093a_story.html) when it stated, “Sharing doses and know-how is better than stripping patents.” It is noteworthy that, during this global debate over whether IP protections should be waived, there have been no instances identified where IP has been used to limit access to vaccines or other COVID-related technologies. In contrast, there are many examples of innovator companies from a wide array of industries who have partnered and shared IP to create testing, vaccines, and therapies to address this pandemic. In fact, IP has enabled this innovation and facilitated this collaboration by providing the incentives that have enabled innovators to devote the resources, technical knowledge, and know-how necessary to counter the pandemic. As a result, our innovative industries have been able to create vaccines and other measures to fight the pandemic. Should an IP waiver be implemented, however, there would not be a stable framework in place to provide confidence to innovators that they can take the necessary risks associated with their inventions and creations as we continue to combat COVID-19. In fact, a waiver would have an immediate chilling effect on continued research and collaborations that are needed, for example, to overcome new variants of the virus, create vaccines for special populations, and develop new tools to help defeat the pandemic and for future vaccine development for other infectious diseases..

#### Slow innovation ensures successful attacks BUT rapid innovation deters them.

Christopher Chyba 4, co-director for the Center for International Security and Cooperation, Stanford Institute for International Studies, and Alex Greninger, Assistant Professor at Stanford, MS in Biology, 2004 "Biotechnology and Bioterrorism: An Unprecedented World," [http://iis-db.stanford.edu/pubs/20722/Chyba\_2004.pdf](http://iis-db.stanford.edu/pubs/20722/Chyba_2004.pdf))

In the absence of a comprehensive and effective system of global review of potential high-consequence research, we are instead trapped in a kind of offence–defence arms race. Even as legitimate biomedical researchers develop defences against biological pathogens, bad actors could in turn engineer countermeasures in a kind of directed version of the way natural pathogens evolve resistance to anti-microbial drugs. The mousepox case provides a harbinger of what is to come: just as the United States was stockpiling 300m doses of smallpox vaccine as a defence against a terrorist smallpox attack, experimental modification of the mousepox virus showed how the vaccine could possibly be circumvented. The United States is now funding research on antiviral drugs and other ways of combating smallpox that might be effective against the engineered organism. Yet there are indications that smallpox can be made resistant to one of the few known antiviral drugs. The future has the appearance of an eternal arms race of measures and countermeasures.

The ‘arms race’ metaphor should be used with caution; it too is in danger of calling up misleading analogies to the nuclear arms race of the Cold War. First, the biological arms race is an offence–defence race, rather than a competition between offensive means. Under the BWC, only defensive research is legitimate. But more fundamentally, the driver of de facto offensive capabilities in this arms race is not primarily a particular adversary, but rather the ongoing global advance of microbiological and biomedical research. Defensive measures are in a race with nefarious applicationsof basic research, much of which is itself undertaken for protection against natural disease. In a sense, we are in an arms race with ourselves.

It is hard to see how this arms race is stable – an offence granted comparable resources would seem to be necessarily favoured. As with ballistic missile defence, particular defensive measures may be defeated by offensive countermeasures. In the biological case, implementing defensive measures will require not only research but drug development and distribution plans. Offensive measures need not exercise this care, although fortunately they will likely face comparative resource constraints (especially if not associated with a state programme), and may find that some approaches (for example, to confer antibiotic resistance) have the simultaneous effect of inadvertently reducing a pathogen’s virulence. The defence must always guard against committing the fallacy of the last move, whereas the offence may embrace the view of the Irish Republican Army after it failed to assassinate the British cabinet in the 1984 Brighton bombing: ‘Today we were unlucky, but remember we have only to be lucky once – you will have to be lucky always’.40 At the very least, the defence will have to be vigilant and collectively smarter than the offence.

The only way for the defence to win convincingly in the biological arms race would seem to be to succeed in discovering and implementing certain de facto last-move defences, at least on an organism-by-organism basis. Perhaps there are defences, or a web of defences, that will prove too difficult for any plausible non-state actor to engineer around. Whether such defences exist is unclear at this time, but their exploration should be a long-term research goal of US biodefence efforts. Progress might also have an important impact on international public health. One of the ‘Grand Challenges’ identified by the Bill and Melinda Gates Foundation in its $200m initiative to improve global health calls for the discovery of drugs that minimise the emergence of drug resistance – a kind of ‘last move’ defence against the evolutionary countermeasures of natural microbes.41 Should a collection of such defensive moves prove possible, bioterrorism might ultimately succumb to a kind of globalised dissuasion by denial:42 non-state groups would calculate that they could not hope to achieve dramatic results through biological programmes and would choose to direct their efforts elsewhere.

53 seconds

#### Extinction.

Phil Torres 21, Former writer for Future of Life Institute, Former Affiliate Scholar at the Institute for Ethics and Emerging Technologies, MA in Neuroscience from Brandeis University, Ph.D. candidate at Leibniz Universität Hannover, "International Criminal Law and the Future of Humanity: A Theory of the Crime of Omnicide," 3/8/2021, <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3777140>

The point is that this trend of mass empowerment can be found within virtually every domain of emerging technology, including biotechnology, synthetic biology, nanotechnology, drone technology, and artificial intelligence. Whereas in the past, bioterrorism took the form of poisoning wells with carcasses contaminated with the plague, soon it could take the form of synthesizing a super-pathogen that combines the lethality of rabies, the incurability of Ebola, the contagiousness of the common cold, and the long incubation period of HIV. Whereas in the 75 past, destroying an enemy civilization required a physical attack involving tens or hundreds of thousands of soldiers, today a nuclear electromagnetic pulse (NEMP) could fry the electrical infrastructure of an entire country. Whereas in the past, annihilating Earth’s biosphere was technically impossible, future self-replicating nanobots could potentially disassemble all organic matter around the world, thus resulting in a lifeless, barren planet. And so on.

(ii) Democratization thesis. This refers to the phenomenon of dual-use emerging technologies becoming increasingly accessible to the demos. When combined with (i), it implies that omniviolence is being distributed among state and nonstate actors—i.e., the K/K ratio is falling while the number of potential “killers” that instantiate the first “K” is growing.

Historically speaking, the first actor—a state—to acquire the technological ability to unilaterally destroy the world was the United States, sometime around 1948 or 1949, when the United States stockpiled enough nuclear weapons, about 100 in total, to have single-handedly initiated a worldwide nuclear winter. I choose the number “100” here because a 2008 study found that a regional “nuclear exchange involving 100 Hiroshima-size bombs (15 kilotons) on cities in the subtropics” could effectively “lower temperatures regionally and globally for several years, open up new holes in the ozone layer protecting the Earth from harmful radiation, reduce global precipitation by about 10 percent, and trigger massive crop failures.” Thus, bracketing the nontrivial 76 fact that many weapons built since World War II have a far greater explosive yield than 15 kilotons of TNT, we can crudely estimate when countries acquired the capacity to unilaterally cause a global nuclear winter by identifying the years during which their arsenals exceeded 100 nuclear weapons. On this criterion—for perspective, consider that the United State’s “Castle Bravo” weapon was equivalent to 15 megatons of TNT, while the Soviet Union’s “Tsar Bomba” had an extraordinary 58 megaton yield—the Soviet Union joined the club of potential world-destroyers at least by 1952, the United Kingdom at least by 1962, China at least by 1971, France at least by 1973, and other countries like Pakistan, India, and Israel perhaps by the 2010s, depending on the make-up of their arsenals.77 Thus, since World War II, the number of entities with doomsday capabilities has grown from zero to eight.

But the democratization of dual-use emerging technologies is rapidly transforming this predicament by multiplying the number of not only state but, far more importantly, nonstate actors having the capacity to unilaterally destroy the world. As I have previously discussed, there are four axes along which this trend, which I have elsewhere dubbed the “threat of universal unilateralism,” is unfolding. In brief, these are:

(i) The intelligence threshold that must be exceeded to effect large-scale destruction is lowering. This fact is humorously, but accurately, captured by Eliezer Yudkowsky’s so-called “Moore’s Law of Mad Science,” which states that “every eighteen months, the minimum IQ necessary to destroy the world drops by one point.” (ii) The information threshold that one must exceed to use 78 a wide range of emerging technologies in a competent manner is also falling. For example, the genomes of many of the most dangerous pathogens, including Ebola and smallpox, are readily accessible online, thus making such information easy to copy-paste onto one’s computer. (iii) The skill threshold that one must exceed to convert one's know-that into actionable know-how is dropping as well. Perhaps the most conspicuous example comes from synthetic biology, which is “explicitly devoted to the minimization of the importance of tacit knowledge.” The BioBricks 79 Foundation’s standardization of biological entities and devices like digital-to-biological converters are also relevant here. Yet the irrelevance of tacit knowledge may be especially salient with re 80 - spect to molecular nanotechnology—e.g., nanofactories that can manufacture virtually any technical product for virtually zero cost given a digital blueprint, source of energy, and feedstock molecule like acetone or acetylene.81 And finally, (iv) the materials and equipment necessary for omniviolence are rapidly becoming more widely available and affordable. For example, the advent of nanofactories would make it possible to produce super-high-quality technical products of all sorts at almost no cost, and third-generation laser enrichment technologies such as SILEX (whereby uranium isotopes are separated by laser excitation) could enable small groups or lone individuals to produce weapons-grade uranium without the need for costly, large centrifuges.82

To couch the implications of these four trends in terms of the 2016 Dyn cyberattack, it is no longer unreasonable to ask in the wake of a major incident spanning multiple countries and affects millions of people whether the perpetrator is a state actor like Russia or North Korea, or someone in her or his basement, with limited knowledge of computer systems or how to initiate a DDoS attack, using a $1,000 computer. To underline this point, consider the following two scenarios that could potentially cause the extinction of humanity. Both illustrate the fact that, as Benjamin Wittes and Gabriella Blum observe, greater technological capabilities entail greater susceptibility to harm; in their words, “technologies that expand the power to attack necessarily expand vulnerability to attack.”83 However, for reasons relating to “information hazards,”84 I have not chosen the most effective ways of bringing about human extinction that scholars in the nascent field of “existential risk studies” have privately devised (and kept secret within the community for information-hazard reasons), nor will I go into much detail about the logistics of actually realizing these scenarios. The simple point is merely to emphasize that we are, indeed, entering a new era of unprecedentedly distributed destructive capabilities.

Scenario 1: The CRISPR/Cas9 system consists of a segment of DNA from bacterial immune systems—CRISPR—and a protein that acts as “molecular scissors” capable of cutting DNA at target sequences—Cas9—which are specified by an RNA guide molecule. This system has enabled scientists to alter the genomes of organisms with unprecedented precision. Now consider “gene drives,” or genetic mechanisms that enable a segment of DNA to be inherited by an organism’s offspring at a probability of greater than 50 percent, even when the allele expressed by the gene is deleterious to the organism. Gene drives are found in nature, but advancements in synthetic biology are enabling scientists to create them artificially. Combining these two technologies: CRISPR/Cas9 and gene drives will enable the synthesis of genes that propagate through and decimate entire populations of organisms. At the extreme, so-called “suppression drives” that “reduce the population of the target species (for example by damaging a gene with a function essential to survival or reproduction)” could precipitate the extinction of the affected species.85

### Case