# 1AC – Malaria

## FW

#### Because ought implies a moral evaluation, I value morality.

#### Moral uncertainty means we should prevent extinction

Bostrom 12 [Nick Bostrom. Faculty of Philosophy & Oxford Martin School University of Oxford. “Existential Risk Prevention as Global Priority.” Global Policy (2012)]

These reflections on moral uncertainty suggest an alternative, complementary way of looking at existential risk; they also suggest a new way of thinking about the ideal of sustainability. Let me elaborate.¶ Our present understanding of axiology might well be confused. We may not now know — at least not in concrete detail — what outcomes would count as a big win for humanity; we might not even yet be able to imagine the best ends of our journey. If we are indeed profoundly uncertain about our ultimate aims, then we should recognize that there is a great option value in preserving — and ideally improving — our ability to recognize value and to steer the future accordingly. Ensuring that there will be a future version of humanity with great powers and a propensity to use them wisely is plausibly the best way available to us to increase the probability that the future will contain a lot of value. To do this, we must prevent any existential catastrophe.

#### My standard is maximizing well being. Prefer for the following reasons:

#### The nature of the actions of institutions means that there is no morally relevant distinction between letting someone die and actively killing someone. When an agreement is presented, the WTO has a choice between considering it or not, when either way they are making a conscious decision. By making a conscious decision to drastically affect trade, possibly letting people die, they are intentionally causing morally equivalent impacts to occur.

#### The only way individuals will recognize the legitimacy of the organizations is through utilitarianism. If the state does not act based on consequentialism, individuals do not have the incentive to support the state because they do not have a good guarantee that their interests will be looked after.

#### Utilitarianism is the only way to uphold equality. Human life is equally valuable since it is arbitrary to assume one person is more morally important than another when the two are the same person. Consequently, for an action to be moral it must try to maximize the people it protects.

1. **Moreover, *only* pleasure and pain are intrinsically valuable. All other values can be explained with reference to pleasure; Occam’s razor requires us to treat these as instrumentally valuable.**

**Moen 16** [Ole Martin Moen, Research Fellow in Philosophy at University of Oslo “An Argument for Hedonism” Journal of Value Inquiry (Springer), 50 (2) 2016: 267–281] SJDI

I think several things should be said in response to Moore’s challenge to hedonists. First, **I do not think the burden of proof lies on hedonists to explain why the additional values are not intrinsic values. If someone claims that X is intrinsically valuable, this is a substantive, positive claim, and it lies on him or her to explain why we should believe that X is in fact intrinsically valuable.** Possibly, this could be done through thought experiments analogous to those employed in the previous section. Second, **there is something peculiar about the list of additional intrinsic values** that counts in hedonism’s favor**: the listed values have a strong tendency to be well explained as things that help promote pleasure and avert pain.** To go through Frankena’s list, life and consciousness are necessary presuppositions for pleasure; activity, health, and strength bring about pleasure; and happiness, beatitude, and contentment are regarded by Frankena himself as “pleasures and satisfactions.” The same is arguably true of beauty, harmony, and “proportion in objects contemplated,” and also of affection, friendship, harmony, and proportion in life, experiences of achievement, adventure and novelty, self-expression, good reputation, honor and esteem. Other things on Frankena’s list, such as understanding, **wisdom, freedom, peace, and security, although they are perhaps not themselves pleasurable, are important means to achieve a happy life, and as such, they are things that hedonists would value highly.** **Morally good dispositions and virtues, cooperation, and just distribution of goods and evils, moreover, are things that, on a collective level, contribute a happy society, and thus the traits that would be promoted and cultivated if this were something sought after.** To a very large extent, the intrinsic values suggested by pluralists tend to be hedonic instrumental values. Indeed, pluralists’ suggested intrinsic values all point toward pleasure, for while the other values are reasonably explainable as a means toward pleasure, pleasure itself is not reasonably explainable as a means toward the other values. Some have noticed this. Moore himself, for example, writes that though his pluralistic theory of intrinsic value is opposed to hedonism, its application would, in practice, look very much like hedonism’s: “Hedonists,” he writes “do, in general, recommend a course of conduct which is very similar to that which I should recommend.”24 Ross writes that “[i]t is quite certain that by promoting virtue and knowledge we shall inevitably produce much more pleasant consciousness. These are, by general agreement, among the surest sources of happiness for their possessors.”25 Roger Crisp observes that “those goods cited by non-hedonists are goods we often, indeed usually, enjoy.”26 What Moore and Ross do not seem to notice is that their observations give rise to two reasons to reject pluralism and endorse hedonism. The first reason is that if **the suggested non-hedonic intrinsic values are potentially explainable by appeal to just pleasure and pain** (which, following my argument in the previous chapter, we should accept as intrinsically valuable and disvaluable), **then—by appeal to Occam’s razor—we have at least a pro tanto reason to resist the introduction of any further intrinsic values and disvalues. It is ontologically more costly to posit a plurality of intrinsic values and disvalues, so in case all values admit of explanation by reference to a single intrinsic value and a single intrinsic disvalue, we have reason to reject more complicated accounts.** **The fact that suggested non-hedonic intrinsic values tend to be hedonistic instrumental values does not, however, count in favor of hedonism solely in virtue of being most elegantly explained by hedonism; it also does so in virtue of creating an explanatory challenge for pluralists.** The challenge can be phrased as the following question: **If the non-hedonic values suggested by pluralists are truly intrinsic values in their own right, then why do they tend to point toward pleasure and away from pain?**27

## ADV 1: Economy

#### COVID-19 has exacerbated preexisting economic strife in Africa – the continent’s economy needs to grow increasingly soon to prevent significant economic decline

[**DESA, 1-25-2021**, "Development prospects in Africa undermined by a severe economic downturn," https://www.un.org/africarenewal/news/development-prospects-africa-undermined-severe-economic-downturn]

In 2020, the world economy shrank by 4.3 per cent, over two and half times more than during the global crisis of 2009. The modest recovery of 4.7 per cent expected in 2021 would barely offset the losses of 2020, says the latest World Economic Situation and Prospects. Developed economies, projected to see a 4 per cent output growth in 2021, shrank the most, by 5.6 per cent, due to economic shutdowns and subsequent waves of the pandemic, increasing the risk of premature austerity measures that would only derail recovery efforts globally. Developing countries saw a less severe contraction at 2.5 per cent, with an expected rebound of 5.7 per cent in 2021, according to the estimates presented in the report. However, economic contraction among developing nations, falling exports and local consumption rates as well as high levels of public debt will significantly increase poverty levels, says the report. African countries are experiencing an unprecedented economic downturn with major adverse impacts on development. Lower commodity prices, the collapse of tourism and lower remittances – exacerbated by much-needed domestic lockdowns and other measures to control the spread of the pandemic – have caused a severe and widespread deterioration of the economic situation. Limited fiscal space, challenging financing conditions and rising public debt have increased the risks of debt distress. “We are facing the worst health and economic crisis in 90 years. As we mourn the growing death toll, we must remember that the choices we make now will determine our collective future,” said UN Secretary-General António Guterres. “Let’s invest in an inclusive and sustainable future driven by smart policies, impactful investments, and a strong and effective multilateral system that places people at the heart of all socio-economic efforts.” The report underscores that sustained recovery from the pandemic will depend not only on the size of the stimulus measures, and the quick rollout of vaccines, but also on the quality and efficacy of these measures to build resilience against future shocks. An unprecedented downturn with major consequences for development in Africa Despite the relatively few number of cases compared to the number of cases in other continents, the COVID-19 pandemic will continue to strongly impact living conditions and development progress in Africa. The crisis is already increasing unemployment, poverty and inequality. Most countries are facing enormous challenges to keep the pandemic under control and mobilize financial resources to support health systems, protect vulnerable groups, and support the recovery. After a contraction of 3.4 per cent in 2020, Africa is projected to achieve a modest recovery, with regional GDP expanding by 3.4 per cent in 2021. This recovery is predicated on the rise of domestic demand and the pick-up of exports and commodity prices. Nigeria’s GDP is projected to expand by 1.5 per cent in 2021, after a contraction of 3.5 per cent in 2020. Yet, tighter foreign exchange liquidity, mounting inflationary pressures and subdued domestic demand cloud the medium-term outlook. In South Africa, GDP is projected to expand by 3.3 per cent in 2021, after a contraction of 7.7 per cent in 2020. However, a strong and sustained recovery remains uncertain, amid power shortages, elevated public debt and policy challenges. Egypt’s GDP is estimated to have grown by 0.2 per cent in 2020; and in 2021, GDP growth is projected to climb to 5.4 per cent, underpinned by a strong recovery of domestic demand and facilitated by the absence of severe balance-of-payments constraints. After a contraction of 0.5 per cent in 2020, the Ethiopian economy is projected to expand by only 2.3 per cent in 2021. While agricultural exports are showing resilience, the tourism sector will remain restrained throughout 2021. External financing and high debt levels pose major risks Elevated public debt is limiting the capacity to boost spending across the continent. Also, meagre growth prospects mean less capacity to sustain debt levels, as foreign reserves, remittances and capital flows falter and depreciations constrain the capacity to service foreign currency-denominated debt. African countries need further support from the international community and strong national efforts in averting a debt crisis. A debt crisis would not just cause a further economic deterioration, but also force painful fiscal adjustments. Against such a backdrop, social unrest and political tensions may easily escalate, which could in turn worsen food insecurity, violence, internal displacement and migration pressures. A strong and sustained recovery requires decisive policy actions Africa needs a sustained revival of growth. While a focus on the short term is essential, African countries need to lay the groundwork for a strong and inclusive development path in the medium term, which entail the creation of decent jobs at a large scale. “As countries will emerge from the crisis with higher levels of debt, a careful rebalancing of policy priorities will be required to build resilience and boost productivity,” said Hamid Rashid, Chief of the Global Economic Monitoring Branch at the UN Department of Economic and Social Affairs, and the lead author of the report. “This includes unlocking growth opportunities and accelerating technology adoption and bridging digital divides, enhancing climate resilience and boosting domestic revenue mobilization.” The report highlights the need for African countries to prioritize the diffusion of digital technologies, supported by the expansion of affordable and universal digital infrastructure. An effective framework for the implementation of the African Continental Free Trade Area could also become a major tool for promoting intra-African trade, economic security and productivity.

#### Malaria causes economic decline now

[Les Picker, , NBER, "The Economic Decline in Africa | NBER," 200, https://www.nber.org/digest/jan04/economic-decline-africa]  
  
if Africa had no malaria over the past 40 years, its annual growth rate would have been 1.25 percentage points larger. Citing the fact that massive aid programs have not helped much, the authors suggest that new initiatives may be needed. For example, more research could be focused on the continent's devastating health problems. Africans themselves have neither the resources nor the expertise to discover vaccines that prevent AIDS or malaria. Yet rich countries have little incentive to invest in these lines of research because the discoveries will help people with little ability to buy the products. The authors believe that if international aid financed by bilateral donors and multilateral institutions were redirected towards these health problems, then the situation in Africa might improve. The economic situation in Africa also would improve ]

#### Reducing IP rights for a malaria vaccine is necessary to make it accessible to those who need it most and distribute it effectively

Sandra L. **Shotwell, 2007**, "Patent Consolidation and Equitable Access: PATH’s Malaria Vaccines," No Publication, http://www.iphandbook.org/handbook/ch17/p21/

The possibility of commercializing an effective malaria vaccine raises significant IP challenges. Many patents, some with overlapping claims, cover malaria antigens that may be needed for vaccine development. Such a “patent thicket” is daunting because it is likely that more than one antigen will be needed for an effective vaccine. Unfortunately, accessing many patents one at a time via traditional licensing or partnering could tie up resources needed to develop and deliver the vaccines. Moreover, the negotiations required to access key patents could delay the delivery of the vaccine. Indeed, access to key patents might not even be available, which would affect investment decisions upstream in the development pipeline about vaccine candidates. Because of this, it may not be possible to pursue the most powerful vaccine candidates if companies holding valuable malaria-vaccine IP are unwilling to license to others even if they are not developing a malaria vaccine themselves. Assessing the availability of access to key patents becomes a priority. Ten malaria antigens were selected for review based on their use in the most-advanced vaccine development projects—clinical trials or late-stage preclinical studies. The antigens come from several key malaria parasites, most significantly P. falciparum and P. vivax, and from multiple phases of the parasite life cycle. Public patent databases were used to collect and organize patents and patent applications with claims covering these ten antigens. The patent landscape contained 167 patent families filed by 75 different organizations (sometimes in combination with other organizations). Alta Biomedical worked with key MVI business and scientific staff and Falco Archer to review and prioritize the 167 patent families. A total of 39 out of 167 patent families (23%) were ranked as moderate to high priority based on the patent status (pending, issued, lapsed, or expired), length of estimated patent life, territory, and overlap between claims and vaccine-candidate attributes. The 39 patents were held by 21 organizations. Alta Biomedical met in person or by telephone with 16 of these organizations. Four of the remaining organizations were in direct contact with MVI; the fifth was not approached. In early 2005, information from direct interviews and from MVI contacts led to grouping the 39 patent families into four categories (Figure 1). Some of the priority patents covered only one antigen; some covered multiple antigens. The distribution of patents over the ten antigens is shown in Figure 2. Before this study, almost half of the priority patents were removed from access by public patent holders (not private companies). Significantly, 69% (27) of the moderate- to high-priority cases originally were filed by a public entity. Five of those were filed jointly with a company. By the time of the study, only 21% (8) remained available for licensing from the public entity. Thus, almost half of the priority cases were removed from access due to actions taken by the patent holder. To ensure that in the future public entities provide ongoing access, MVI is working with multiple groups of stakeholders to develop recommended practices. This work has involved active participation in meetings with licensing practitioners through the Licensing Executives Society (LES)[3](http://www.iphandbook.org/handbook/ch17/p21/" \l "3) and the Association of University Technology Managers (AUTM)[4](http://www.iphandbook.org/handbook/ch17/p21/" \l "4), including the latter’s special interest group Technology Managers for Global Health (TMGH).[5](http://www.iphandbook.org/handbook/ch17/p21/" \l "5) In addition, MVI and Alta Biomedical have participated in smaller group discussions on equitable-access approaches, and in global health IP meetings such as those organized by the Centre for the Management of Intellectual Property in Health Research and Development (MIHR).[6](http://www.iphandbook.org/handbook/ch17/p21/" \l "6)The results of the MVI study suggest that developing a broad-based technology trust for existing malaria antigen patents is not a good idea for several reasons. As the findings above should make clear, with few exceptions the patents held by public and academic institutions have been assigned or exclusively licensed to private companies. The patents are not currently available for licensing from the original public-institution patent holders. While it may be possible to sublicense the patents from the current private holders, doing so is likely to be difficult and costly; engaging patent holders in contributing to a patent pool or clearinghouse also could be difficult. While the concept of a technology trust or patent pool may still be useful for patents to be filed in the future, even some of those would be under option for license by the private companies holding the existing patents. In addition, the number of high-priority cases for any malaria antigen is small, as is the number of entities likely to seek access to any given patent family. This makes the expense of a patent pool even less justifiable. Other than a broad-based technology trust, there are several effective ways to consolidate available rights and improve access for future patent families in the malaria vaccine field, including: Taking assignment to or licensing the limited number of high- or moderate-priority patent families to ensure access. Holding these patents could be useful for developing products or for cross-licensing with private patent holders. Developing policy and public statements about why these priority patents are being held on behalf of the field, including a statement regarding the intention to allow access by others. Continuing to develop constructive partnerships with the corporate holders of the remaining key patents, as needed. Reviewing the geographic limitations of existing patents held by private companies, and considering approaches to vaccine development that do not infringe on these patents, for example, considering production by firms capable of high-quality, less-expensive production and manufacture in middle-income countries not covered by patents. Negotiating with patent holders for access to their know-how for development outside the patent coverage area. Educating public and academic patent holders about malaria-vaccine development issues in patenting and licensing as well as about balanced approaches that can meet institutional goals and accelerate the development of patents into useful vaccines. This would help to ensure that future actions by public research institutions do not create ongoing access problems. Working to develop consensus about when patenting makes sense, as well as the benefits of pooling for future inventions not yet patented or licensed. Gathering and developing model language to use in patent strategies and licenses covering malaria-vaccine technology that can ensure the development of appropriate, affordable products for markets in developing countries. Working with national and international leaders to encourage broad usage and a common approach for the field. Possible partners in this endeavor include MVI, The Rockefeller Foundation, MIHR, AUTM, LES, U.S. federal laboratories, and leading U.S. and international universities.

#### Reducing malaria’s impacts is necessary to prevent further economic decline

Liz **Wallace, 2015**, "Malaria: Bad for business" Malaria No More UK, https://malarianomore.org.uk/file/2286/download?token=DuJHxTdR

Malaria and poverty occupy common ground. Where the burden of malaria is highest, economic prosperity is lowest. We know that poverty can promote malaria transmission, and that malaria causes poverty by blocking economic growth. Research shows that malaria can strain national economics, having a deleterious impact on some nations’ GDP by as much as an estimated 5 - 6%. It keeps households in poverty, discourages domestic and foreign investment and tourism, affects land use patterns, and reduces productivity through lost work days and diminished job performance. One analysis in southern India estimated that households whose members suffered with malaria could clear only 40% as much cropland as those households without malaria. In endemic countries, the poorest households are disproportionately affected by these costs, and a single episode of malaria can be enough to push one in three affected families into or further into poverty. A study in Malawi found that the total direct and indirect cost of malaria consumed 32% of annual household income among those with very low income compared with 4.2% among households in the low-to-high income categories. Preventing malaria reduces these costs, enabling households to invest more in food, housing, education, and entrepreneurial initiatives or assets. Bad for business Malaria’s impact on the private sector Malaria is bad for business. That’s how the World Economic Forum see it, and they’re not wrong. In sub-Saharan Africa, 72% of companies surveyed reported a negative malaria impact, with 39% perceiving these impacts to be serious. The disease continues to affect company profits across the African continent and beyond - through employee absenteeism, reduced productivity and escalating benefit costs. Malaria among a company’s employees also increases the potential for transmission to the wider local community, which then impacts the local economy through the deterioration of human capital, losses in savings, and investments and tax revenues. UK businesses operating abroad are not immune to the effects of malaria. When London-based mining and metals company, BHP Billiton, built a Mozal aluminium smelter in Mozambique with a joint venture investment of US$1.4 billion, the company was faced with 7,000 cases of malaria in two years and the death of 13 expatriate employees. The total cost to the company due to malaria related illness, absenteeism and treatment was estimated at almost US$2.7 million.

#### Africa instability goes nuclear.

Mead 13. [(Walter Mead is a James Clarke Chace Professor of Foreign Affairs and Humanities, Bard College) “Peace in The Congo? Why the World Should Care,” The American Interest, December 15, 2013. <https://www.the-american-interest.com/2013/12/15/peace-in-the-congo-why-the-world-should-care/>

One of the biggest questions of the 21st century is whether this destructive dynamic can be contained, or whether the demand for ethnic, cultural and/or religious homogeneity will continue to convulse world politics, drive new generations of conflict, and create millions more victims. The Congo conflict is a disturbing piece of evidence suggesting that, in Africa at least, there is potential for this kind of conflict. The Congo war (and the long Hutu-Tutsi conflict in neighboring countries) is not, unfortunately alone. The secession of South Sudan from Sudan proper, the wars in what remains of that unhappy country, the secession of Eritrea from Ethiopia and the rise of Christian-Muslim tension right across Africa (where religious conflict often is fed by and intensifies “tribal”—in Europe we would say “ethnic” or “national”—conflicts) are strong indications that the potential for huge and destructive conflict across Africa is very real. But one must look beyond Africa. The Middle East of course is aflame in religious and ethnic conflict. The old British Raj including India, Pakistan, Bangladesh, Burma and Sri Lanka offers countless examples of ethnic and religious conflict that sometimes is contained, and sometimes boils to the surface in horrendous acts of violence. Beyond that, rival nationalisms in East and Southeast Asia are keeping the world awake at night. The Congo war should be a reminder to us all that the foundations of our world are dynamite, and that the potential for new conflicts on the scale of the horrific wars of the 20th century is very much with us today. The second lesson from this conflict stems from the realization of how much patience and commitment from the international community (which in this case included the Atlantic democracies and a coalition of African states working as individual countries and through various international institutions) it has taken to get this far towards peace. Particularly at a time when many Americans want the US to turn inwards, there are people who make the argument that it is really none of America’s business to invest time and energy in the often thankless task of solving these conflicts. That might be an ugly but defensible position if we didn’t live in such a tinderbox world. Someone could rationally say, yes, it’s terrible that a million plus people are being killed overseas in a horrific conflict, but the war is really very far away and America has urgent needs at home and we should husband the resources we have available for foreign policy on things that have more power to affect us directly. The problem is that these wars spread. They may start in places that we don’t care much about (most Americans didn’t give a rat’s patootie about whether Germany controlled the Sudetenland in 1938 or Danzig in 1939) but they tend to spread to places that we do care very much about. This can be because a revisionist great power like Germany in 1938-39 needs to overturn the balance of power in Europe to achieve its goals, or it can be because instability in a very remote place triggers problems in places that we care about very much. Out of Afghanistan in 2001 came both 9/11 and the waves of insurgency and instability that threaten to rip nuclear-armed Pakistan apart or with trigger wider conflict India. Out of the mess in Syria a witches’ brew of terrorism and religious conflict looks set to complicate the security of our allies in Europe and the Middle East and even the security of the oil supply on which the world economy so profoundly depends. Africa, and the potential for upheaval there, is of more importance to American security than many people may understand. The line between Africa and the Middle East is a soft one. The weak states that straddle the southern approaches of the Sahara are ideal petri dishes for Al Qaeda type groups to form and attract local support. There are networks of funding and religious contact that give groups in these countries potential access to funds, fighters, training and weapons from the Middle East. A war in the eastern Congo might not directly trigger these other conflicts, but it helps to create the swirling underworld of arms trading, money transfers, illegal commerce and the rise of a generation of young men who become experienced fighters—and know no other way to make a living. It destabilizes the environment for neighboring states (like Uganda and Kenya) that play much more direct role in potential crises of greater concern to us

## Plan: The member nations of the world trade organization ought to reduce intellectual property protections for malaria vaccines

### Solvency: Anticapitalism progression

**Big Pharma wants to preserve monopoly control, and values profit over saving lives.**

**Public Citizen 3/29 -** Public Citizen [“Public Citizen is a nonprofit consumer advocacy organization that champions the public interest in the halls of power. We defend democracy, resist corporate power and work to ensure that government works for the people – not for big corporations. Founded in 1971, we now have 500,000 members and supporters throughout the country. We don’t participate in partisan political activities or endorse any candidates for elected office. We take no government or corporate money, which enables us to remain fiercely independent and call out bad actors – no matter who they are or how much power and money they have.”], “Waiver of the WTO’s Intellectual Property Rules: Facts vs. Common Myths,” *Public Citizen Global Trade Watch Series*. March 29, 2021. Accessed Aug. 10, 2021. <https://www.citizen.org/article/waiver-of-the-wtos-intellectual-property-rules-myths-vs-facts/> AT

At issue is not manufacturing capacity or skills, but rather control: Big Pharma has a monopoly over vaccine knowledge and technology platforms that will determine life and death for millions of people in rich and poor countries alike and decide the fate of the global economy. These corporations stand to make a lot of money. Pfizer and Moderna recently revealed COVID-19 vaccine expected revenue of $15 billion and $18.4 billion respectively in 2021 alone. Speaking at the virtual Barclays Global Healthcare Conference in mid-march 2021, Pfizer’s senior VP of investor relations described how the firm planned to raise prices and profit richly by selling vaccines annually to rich countries that can pay. Big Pharma firms may have no interest in sharing the vaccines created thanks to billions in tax-payer funding. But the health and economic futures of billions of people around the world require urgent access to the formulas and technology needed to massively scale up production worldwide for use in every corner of the globe.

**The aff’s focus on material conditions is key to generate practical and ideological resistance to capitalism. Purdy 20**

Jedediah S. Britton-Purdy et al, 20 - ("Building a Law-and-Political-Economy Framework: Beyond the Twentieth-Century Synthesis by Jedediah S. Britton-Purdy, David Singh Grewal, Amy Kapczynski, K. Sabeel Rahman :: SSRN," 3-2-2020, https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=3547312)//ey/

To embrace the possibility of democratic renewal requires rejecting the terms of the Twentieth-Century Synthesis. We believe that the legal realists—and thinkers in a much longer history of political thought—were right in believing that "the economy" is neither self-defining nor self-justifying. The emphasis in these traditions has been the right one: on power, distribution, and the need for legitimacy as the central themes in the organization of economic life. Moreover, precisely because economic ordering is a political and legal artifact, the idea of an "autonomous" economic domain has always been obscurantist and ideological, even when accepted in good faith.' Law does not and never could simply defer to such a realm. Rather, **law is perennially involved in creating and enforcing the terms of economic ordering,** most particularly through the creation and maintenance of markets. One of its most important roles, indeed, is determining who is subject to market ordering and on what terms, and who is exempted in favor of other kinds of protection or provision.' Thus the program of law, politics, and institution building often called "neoliberalism" is, and can only be, a specific theory of how to use state power, to what ends, and for whose benefit.' **The ideological work of the Twentieth-Century Synthesis has been to naturalize and embed in legal institutions from the Supreme Court to the Antitrust Office and World Trade Organization a specific disposition of power.** This power represents a deployment of market ordering that produces intense and cross-cutting forms of inequality and democratic erosion. However, Twentieth-Century Synthesis theorists tend not to see this, precisely because the Synthesis makes it so hard to see (or at least so easy to overlook). If it is to succeed, **law and political economy will also require something beyond mere critique. It will require a positive agenda.** Many **new** and energized **voices**, from the legal academy to political candidates to movement activists, are already building in this direction,' **calling for** and giving shape to **programs for more genuine democracy that also takes seriously questions of economic** power **and racial subordination;**171 more equal distribution of resources and life chances;172 more public and shared resources and infrastructues;173 the displacement of concentrated corporate power and rooting of new forms of worker power;174 the end of mass incarceration **and broader contestation of the** long history of the criminalization and **control of poor people and people of color in building capitalism;**175 the recognition of finance and money as public infrastructures;176 the challenges posed by emerging forms of power and control arising from new technologies;177 and the need for a radical new emphasis on ecology.178 These are the materials from which a positive agenda, over time, will be built. **Political fights interact generatively with scholarly and policy debates in pointing the way toward a more democratic political economy.** The emergence of new grassroots movements, campaigns, and proposals seeking to deepen our democracy is no guarantee of success. But their prevalence and influence make clear the dangers and opportunities of this moment of upheaval—and highlight the stakes of building a new legal imaginary. 179 Neoliberal political economy, with its underlying commitments to efficiency, neutrality, and anti-politics, helped animate, shape, and legitimate a twentieth-century consensus that erased power, encased the market, and reinscribed racialized, economic, and gendered inequities. By contrast, **a legal imaginary of democratic political economy**, that takes seriously underlying concepts of power, equality, and democracy, **can inform a wave of** legal **thought whose critique and policy imagination can amplify and accelerate these movements for structural reform** and, if we are lucky, help remake our polity in more deeply democratic ways.

#### Capitalism’s drive to accumulate compels environmental catastrophe and nuclear warfare --- we should mobilize accordingly

**Eagleton 11** [Terry [Distinguished Professor of English Literature at Lancaster University] *Why Marx Was Right*, 2011, Yale University: New Haven, CT, p. 224-6, www.jstor.org/stable/j.ctt1npz9n]

The two great threats to human survival that now confront us are military and environmental. They are likely to converge more and more in the future, as struggles over scarce resources escalate into armed conflict. Over the years, communists have been among the most ardent advocates of peace, and the reason for this is ably summarized by Ellen Meiksins Wood. ‘‘It seems to me axiomatic,’’ she writes, ‘‘that the expansionary, competitive and exploitative logic of capitalist accumulation in the context of the nation-state system must, in the longer or shorter term, be destabilizing, and that capitalism . . . is and will for the foreseeable future remain the greatest threat to world peace.’’≤Σ If the peace movement is to grasp the root causes of global aggression, it cannot afford to ignore the nature of the beast that breeds it. And this means that it cannot afford to ignore the insights of Marxism. The same goes for environmentalism. Wood argues that capitalism cannot avoid ecological devastation, given the antisocial nature of its drive to accumulate. The system may come to tolerate racial and gender equality, but it cannot by its nature achieve world peace or respect the material world. Capitalism, Wood comments, ‘‘may be able to accommodate some degree of ecological care, especially when the technology of environmental protection is itself profitably marketable. But the essential irrationality of the drive for capital accumulation, which subordinates everything to the requirements of the self-expansion of capital and so-called growth, is unavoidably hostile to ecological balance.’’ The old communist slogan ‘‘Socialism or barbarism’’ always seemed to some a touch too apocalyptic. As history lurches towards the prospect of nuclear warfare and environmental catastrophe, it is hard to see how it is less than the sober truth. If we do not act now, it seems that capitalism will be the death of us.

#### working within the organization is key to challenge inequality and deconstruct capitalism

Mander, 13 - Co-Founder, International Forum on Globalization (Jerry, “There Are Good Alternatives to US Capitalism, But No Way to Get There”, <http://www.alternet.org/books/there-are-good-alternatives-us-capitalism-no-way-get-there?page=0%2C0,July> 24th 2013)//jk

Some aspects of capitalism could be easily reformed, if only the laissez-faire, anti-government capitalist fundamentalists weren’t depositing gifts into the pockets of legislators. Regulations could be advanced to control pollution and resource use, to prevent banking excess, to stop the buying of all politicians and government, and to promote equity. Theoretically, we could quickly start mitigating inequity problems. We could require that the wealthy pay taxes at the same rate as the middle class, or at “surplus wealth” rates (graduated rates that went as high as 90 percent) that rose from the presidencies of Franklin Roosevelt and Harry Truman through Dwight Eisenhower. We could/should have “excess profits” taxes on corporations to cover their externalized costs, or their depletion of the public-resources commons. We could ban tax havens and the many subsidized tax rates on financial transactions and inheritance. We could establish maximum and minimum guaranteed income levels. We could place controls on salary ratios within corporations. That’s all good. We could have better guarantees for workers’ rights and better public services for everyone—health, education, transportation, childcare, elder care. We could prevent corporations from abandoning local communities and moving to China. And we could establish a new, more realistic relationship with the natural world, one based on equality, mutual dependence, and the full acknowledgment of limits. Mos tpeople would appreciate these interventions. They’re all good. I’m sure they would make us a happier society. Maybe Americans would start voting again and eating less junk food while permitting the natural world a deserved breather and long-term protections. Only oligarchs and “free-market fundamentalists” would oppose them. Unfortunately, however, they are in charge. Those and a hundred others ideas are all doable by relatively simple acts of Congress and the President. Many other modern countries— like Norway, Sweden, Denmark, France, Germany, Italy, Spain, Iceland, and Japan—already enjoy many of those practices within their own versions of a kind of “hybrid” economics, an active collaboration of capitalist and socialist visions that most of these countries call “social democracy.” Of course, they have problems, too—some of them caused, actually, by U.S. deregulation of finance under Clinton and Bush II— but, according to friends in Europe and members of my own family who live in Scandinavia, as well as the statistics we cited in the last chapter, these countries are in far better shape than we are in terms of public satisfaction, economic balance, environmental awareness, levels of equality, quality of public discourse, freedom from ideological domination, willingness to adapt, and happiness.

## Underview

#### 1AR Theory

#### A. AFF gets it because otherwise the neg can engage in infinite abuse, making debate impossible.

#### B. Drop the debater – the short 1AR irreparably skewed from abuse on substance and time investment on theory.

#### C. No RVIs – the 6-minute 2nr can collapse to a short shell and get away with infinite 1nc abuse via sheer brute force and time spent on theory.

#### D. No new 2NR theory, paradigm issues, or recontextualizations – allows them to spam frivolous shells in the 2NR and prove why theirs outweighs which gives them a 6-3 structural skew where they can always win on uplayering or outspreading