#### 1AC – Framing

#### Ethics must begin a priori:

#### [A] Naturalistic fallacy – experience only tells us what is since we can only perceive what is, not what ought to be. But it’s impossible to derive an ought from descriptive premises, so there needs to be additional a priori premises to make a moral theory.

#### [B] Empirical uncertainty – evil demon could deceive us, dreaming, simulation, and inability to know others’ experience make empiricism an unreliable basis for universal ethics. Outweighs since it would be escapable since people could say they don’t experience the same.

#### [C] Action theory – only evaluating action through reason solves since reason is key to evaluate intent, otherwise we could infinitely divide actions. For example: If I was brewing tea, I could break up that one big action into multiple small actions. Only our intention, to brew tea unifies these actions if we were never able to unify action, we could never classify certain actions as moral or immoral since those actions would be infinitely divisible

#### [D] Constitutive Authority – practical reason is the only unescapable authority because to ask for why we should be reasoners concedes its authority since it uses reason – anything else is nonbinding and arbitrary.

#### Next, the relevant feature of reason is universality – any non-universalizable norm justifies someone’s ability to impede on your ends i.e. if I want to eat ice cream, I must recognize that others may affect my pursuit of that end and demand the value of my end be recognized by others which also means universalizability acts as a side constraint on all other frameworks. It’s impossible to will a violation of freedom since deciding to do would will incompatible ends since it logically entails willing a violation of your own freedom

#### Thus, the standard is consistency with the categorical imperative. Prefer:

#### [A] Ethical frameworks must be theoretically legitimate. All frameworks are functionally topicality interpretations of the word ought so they must be theoretically justified: prefer on resource disparities—a focus on evidence and statistics privileges debaters with the most preround prep which excludes lone-wolfs who lack huge evidence files. A debate under my framework can easily be won without any prep since only analytical arguments are required. That controls the internal link to other voters because a pre-req to debating is access to the activity.

#### [B] Performativity—freedom is the key to the process of justification of arguments. Willing that we should abide by their ethical theory presupposes that we own ourselves in the first place. Thus, it is logically incoherent to justify a standard without first willing that we can pursue ends free from others.

**Consequences fail: [A] They only judge actions after they occur, which fails action guidance [B] Every action has infinite stemming consequences, because every consequence can cause another consequence. Probability doesn’t solve because 1) Probability is improvable, as it relies on inductive knowledge, but induction from past events can’t lead to deduction of future events and 2) Probability assumes causation, we can’t assume every act was actually the cause of tangible outcomes [C] If you’re held responsible for things other than an intention ethics aren’t binding because there are infinite events occurring over which you have no control, so you can never be moral as you are permitting just action. [D] There’s no objective arbiter to evaluate consequences [E] You can’t aggregate consequences, happiness and sadness are immutable – ten headaches don’t make a migraine**

**[C] Presumption and permissibility affirm – [a] Statements are true before false since if I told you my name, you’d believe me. [b] Epistemics – we wouldn’t be able to start a strand of reasoning since we’d have to question that reason. [c] Otherwise we’d have to have a proactive justification to do things like drink water. [d] If anything is permissible, then definitionally so is the aff since there is nothing that prevents us from doing it. [e] presuming statements false is incoherent since we can’t presume -P and P are both false.**

#### Impact calc: [A] There’s an act/omission distinction – otherwise we’d be held infinitely culpable for every omission which kills any conception of morality.

### Advocacy

#### Plan Text – Resolved: The member nations of the World Trade Organization ought to reduce intellectual property protections for medicines.

### Offense

#### [1] Intellectual property protection violates the formula of autonomy – multiple warrants.

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

Before entering discussion of more recent institutional developments, it is germane to the object of this paper to examine the role of intellectual property in the United Nations preceding the incorporation of the WIPO. As noted above, intellectual property rights were included in the UDHR. Article 27 of the UDHR states that: 1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits. 2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.[17] This should not be interpreted as a consensus amongst the international community on how intellectual property should be regulated, or even on how to define the “moral and material” interests that deserved protection. As with many aspects of the UDHR, the inclusion of intellectual property was highly contested.[18] While a large number of states disagreed with Article 27, they were overpowered by states convinced of the material value of intellectual property protection. As Paul Torremans notes: [T]he initial strong criticism that [intellectual property] was not properly speaking a Human Right or that it already attracted sufficient protection under the regime of protection afforded to property rights in general was eventually defeated by a coalition of those who primarily voted in favour because they felt that the moral rights deserved and needed protection and met the Human Rights standard and those who felt the ongoing internationalization of copyright needed a boost and that this could be a tool in this respect.[19] This shift from discussion of intellectual property as a matter of trade law to discussion of intellectual property as a matter of human rights was furthered by the inclusion of intellectual property rights in Article 15 of the ICESCR, which took force in January of 1976. Article 15 states: 1. The States Parties to the present Covenant recognize the right of everyone: (a) To take part in cultural life; (b) To enjoy the benefits of scientific progress and its applications; (c) To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author. 2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for the conservation, the development and the diffusion of science and culture. 3. The States Parties to the present Covenant undertake to respect the freedom indispensable for scientific research and creative activity. 4. The States Parties to the present Covenant recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields.[20] The sub-clauses of 15.1 are essentially a reiteration of Article 27, but the mention of “development and diffusion” in 15.2 and “co-operation in the scientific and cultural fields” in 15.4 represent a radical shift in intellectual property interpretation. The conception of innovation in terms of market value and incentive systems was being challenged by ideas about human development, as is reflected in the suggestion that “the full realization” of the human rights aspect of intellectual property requires “the diffusion of science and culture,” a suggestion that was not present in the UDHR.[21] The Patents Cooperation Treaty (PCT),[22] arguably the most important development in international intellectual property law between the ICESCR (1976) and the TRIPs (1995), serves as an example of the continued dominance of traditional intellectual property notions, even within the diverse arena of the United Nations. The PCT came into effect under the authority of the United Nations in 1978, four years after the incorporation of the WIPO. This treaty, certainly the most consequential undertaking of the international intellectual property community since the 19th century, was engineered by a group of neoliberal economists led by Edward Brenner (US Commissioner of Patents) and Arpad Bogsch (Deputy Director of BIRPI and first Director General of WIPO) in response to the concerns of multinational corporations about international patent applicability.[23] The PCT set out to ensure that corporations with patents enjoyed equal protection in every country. This meant that a large pharmaceutical company could prosecute pharmaceutical actors around the world for using patented formulas as a starting point for generic drugs development. This protection provides a particular advantage to companies that already hold a large number of patents, as they can use patent-extending strategies to maintain a monopoly over formulas and technologies beyond the standard twenty-year limit.[24] Thus, twelve years after United Nations member states affirmed the value of diffusing scientific and cultural knowledge in the ICESCR, the WIPO became responsible for overseeing the regulation of such knowledge through the PCT. This protection, which largely favors companies with pre-existing patents,[25] set the tone for the most controversial institutionalization of intellectual property thus far, the TRIPs.[26] The TRIPs, established in the 1994 Uruguay Round of the General Agreements on Tariffs and Trade, was the first attempt to put forth comprehensive protection for intellectual property through the World Trade Organization (WTO).[27] This agreement represented a monumental change in the field of international intellectual property law, pushing the protection of intellectual property into the center of international trade law.[28] It forced a minimum standard of copyright and patent protection on all 162 WTO members, severely hindering the distribution and development of agricultural and pharmaceutical innovations.[29] Though there have been subsequent agreements aimed at increasing access to “essential drugs,”[30] the TRIPs and its restrictive prescriptions continue to dominate the institutional framework of international intellectual property.[31] III. Conflict Between Intellectual Property Protection and Human Rights Although the right to the protection of “moral and material interests resulting from any scientific, literary, or artistic production,”[32] is a human right as defined in the UDHR and the ICESCR, the current system of intellectual property protection conflicts with and even violates rights that are considered to be fundamental to human life. Although intellectual property instruments are certainly used to violate essential civil and political freedoms like the freedom of expression, and economic and social freedoms like the freedom to share in the scientific advancements of society, the most blatant violations of human rights caused by intellectual property protection occur in the fields of nutrition, healthcare, and culture.[33] Of these essential entitlements, the rights to food and health are made even more significant by their relationship to the most fundamental of all human rights: the right to life.

#### [2] States shouldn’t be forced to submit to a legal framework outside of their own anarchic conditions – that’s a violation of their own choice which is a contradiction in will.

#### [3] Patents attempt to assert ownership over nature and impede individuals’ abilities to pursue their own ends.

Long 95 [(Roderick T., professor of philosophy at Auburn University, editor of the Journal of Ayn Rand Studies, director and president of the Molinari Institute and a Senior Fellow at the Center for a Stateless Society) “The Libertarian Case Against Intellectual Property Rights,” Free Nation Foundation, 1995] JL recut Lex VM

The moral case against patents is even clearer. A patent is, in effect, a claim of ownership over a law of nature. What if Newton had claimed to own calculus, or the law of gravity? Would we have to pay a fee to his estate every time we used one of the principles he discovered?

Defenders of patents claim that patent laws protect ownership only of inventions, not of discoveries. (Likewise, defenders of copyright claim that copyright laws protect only *implementations* of ideas, not the ideas themselves.) But this distinction is an artificial one. Laws of nature come in varying degrees of generality and specificity; if it is a law of nature that copper conducts electricity, it is no less a law of nature that this much copper, arranged in this configuration, with these other materials arranged so, makes a workable battery. And so on.

Suppose you are trapped at the bottom of a ravine. Sabre-tooth tigers are approaching hungrily. Your only hope is to quickly construct a levitation device I've recently invented. You know how it works, because you attended a public lecture I gave on the topic. And it's easy to construct, quite rapidly, out of materials you see lying around in the ravine.

But there's a problem. I've patented my levitation device. I own it — not just the individual model I built, but the universal. Thus, you can't construct your means of escape without using my property. And I, mean old skinflint that I am, refuse to give my permission. And so the tigers dine well.

This highlights the moral problem with the notion of intellectual property. By claiming a patent on my levitation device, I'm saying that you are not permitted to use your own knowledge to further your ends. By what right?

Another problem with patents is that, when it comes to laws of nature, even fairly specific ones, the odds are quite good that two people, working independently but drawing on the same background of research, may come up with the same invention (discovery) independently. Yet patent law will arbitrarily grant exclusive rights to the inventor who reaches the patent office first; the second inventor, despite having developed the idea on his own, will be forbidden to market his invention.

#### [4] IPR is nonuniversalizable and interferes with the freedom of people who need medicine.

Merges 11 [(Robert, Wilson Sonsini Goodrich & Rosati Professor of Law and Technology, University of California, Berkeley, School of Law) “Justifying Intellectual Property,” Harvard University Press, 2011] JL recut Lex VM

Under Kant’s Universal Principle of Right (UPR), “laws secure our right to external freedom of choice to the extent that this freedom is compatible with everyone else’s freedom of choice under a universal law.”8 As I explained in Chapter 3, Kant’s theory of property rights expresses a special instance of this general principle: property is widely available, yet denied when individual appropriation interferes with the freedom of others. Kant says that although the need for robust property drives the formation of civil society, property rights are nonetheless subject to this “universalizing” principle. Under the operation of the UPR, property rights are constrained: they must not be so broad that they interfere with the freedom of fellow citizens. In a Kantian state, individual property is both necessary— to promote autonomy and self- development; see Chapter 3— and necessarily restricted under the UPR.9

Death is the ultimate restraint on autonomy; there is no more “self” to guide after a person dies. So when a claim to property by person A leads to the death of person B, Kant’s Universal Principle would seem to rebut that claim. As with other issues, however, Kant’s views in this regard are not so simple. In par tic u lar, he expressed complex views on the legal defense of “necessity,” which bears a close resemblance to the property- limiting principle I am attributing to him here.10 Kant says, in effect, that in at least one important example of necessity— where A kills B, or at least puts B in immediate grave danger, to save A’s own life— one who commits a necessary act is culpable but not punishable.11 As with so much in the Kantian canon, there is a great deal of debate over just what Kant was trying to say about necessity. One view— at least as plausible as most others, and more plausible than some— holds that Kant thought of necessity as something like an excuse or defense: a wrong act is not made right by necessity, but it is insulated from formal legal liability.12 This view, well described by among others the Kant scholar Arthur Ripstein, depends on the distinction between formal, positive law (“external,” in Kant’s terminology; see Chapter 3) and “internal” morality. Property for Kant is an absolute right, and taking it without permission is always objectively wrong. But at the same time, some takings are not punishable by the state because they fall outside the proper bounds of legitimate lawmaking.

Because Kant did not explicitly discuss the necessity defense as it pertains to property rights, any application of his thinking to the case of pharmaceutical patents can only be speculation. Even so, there is one point to make. As I explained in some detail in Chapter 3, there is generally a high degree of symmetry between Kant’s thinking on law and3 his theory of property. The UPR is a good example; as I explained in Chapter 3, the idea that property can extend only up to the point that it interferes with the freedom of others is simply one specific application of the general Kantian take on law and freedom. Thus, the analysis of the pharmaceutical patents problem would turn on the issue of property’s effect on the freedom of those suffering from treatable diseases. To put it simply, it is difficult to be sure of the exact conclusion Kant would reach with regard to the issue, but I am sure that the analysis would turn on the freedom- restricting qualities of pharmaceutical patents. It is hard to know the right answer, but not hard to pose the right question: should property extend so far as to cut off or restrain the freedom of those who might be treated?

### Advantage

#### India is in crisis – the recent COVID surge is fundamentally different from that of  the past.

**Khullar 21**. [(Dhruv Khullar is a contributing writer at The New Yorker, where he writes  primarily about medicine, health care, and politics. He is also a practicing physician and an  assistant professor at Weill Cornell Medical College) “India’s Crisis Marks a New Phase in the  Pandemic,” The New Yorker, May 13, 2021. https://www.newyorker.com/science/medical dispatch/indias-crisis-marks-a-new-phase-in-the-pandemic] TDI

Laxminarayan’s walks have changed in recent weeks. **Coronavirus deaths in India have skyrocketed**, and a **frightening atmosphere** has descended. New Delhi is roughly as dense as New York City, with some thirty thousand residents per square mile. But now Laxminarayan passes just a few scattered people; almost everyone stays inside if they can, venturing out only in **search of food, medication, or medical care**. Before the surge, mask-wearing had declined, but now everyone’s face is covered again. “You need public-health enforcement when the pandemic is invisible,” Laxminarayan told me. “Now fear is the dominant force changing people’s behavior.” Government statistics indicate that the virus is **newly infecting millions** of Indians each week, and that some twenty thousand or thirty thousand people are dying weekly. But most experts, including Laxminarayan, believe that those numbers **capture a fraction** of the true covid-19 toll. “It’s a **war zone**,” Laxminarayan said. “It’s worse than what you’re reading in the papers or seeing on TV. Whatever the numbers are, they don’t tell the full story. The human toll is **devastating**.” The current surge **differs fundamentally** from India’s experience last year. “This is truly a national wave,” Laxminarayan said. “It’s not urban. It’s not rural. It’s not north or south. It’s everywhere.” He went on, “During the first wave, the poor suffered the bulk of the health and economic toll. Now everyone is affected. I personally don’t know a single family that doesn’t have covid in it right now. I don’t mean in their extended family. I mean in their nuclear family.” In late April, after his dentist’s parents both died and after a colleague fell ill and couldn’t get oxygen, Laxminarayan decided to shift from covid research to covid relief. He and his team at C.D.D.E.P. decided to focus on India’s oxygen-supply problem, which has fundamentally limited the nation’s hospital capacity. They launched an initiative called OxygenForIndia, raising eight and a half million dollars in two weeks; with the help of corporate partners, among them Verizon Media, Logitech, and UiPath, they have secured more than two thousand oxygen concentrators—portable devices that remove nitrogen from the air to produce purified oxygen—and thirty thousand cylinders to store gaseous oxygen. By some estimates, those cylinder donations add up to more gaseous oxygen than India has received through foreign aid to date. “Right now, no one wants to leave a hospital bed they’re in,” Laxminarayan said. “It’s the only place they know perhaps they can get oxygen. We want to assure people they will have oxygen at home, so that hospital capacity is freed up for the sickest patients.” Laxminarayan thinks that bolstering critical-care capacity is a long-term proposition—“You can’t make doctors and nurses overnight”—and that India is better served today by making more efficient use of its existing infrastructure. OxygenForIndia has already started delivering oxygen to people’s homes, but the organization’s larger goal is to partner with hospitals in urban areas: Delhi, Bangalore, and Kolkata, among others. Doctors, along with algorithms, will triage patients upon presentation or as they improve before discharge. Those deemed safe to go home with supportive oxygen will be given a Q.R. code to be scanned at a nearby warehouse, where they can collect an oxygen cylinder or concentrator to keep as long as they need. (Cylinders must be refilled at the warehouse each day; concentrators can be used continuously at home.) “I’m hoping this is a scalable model that can be used by other countries when they face their big covid wave,” Laxminarayan said. “Because there’s no reason to believe they won’t.” The air around us, which contains twenty-one-per-cent oxygen, must be concentrated and purified to produce the medical-grade gas that people need when the coronavirus besieges their lungs. The most efficient way to accomplish this—the default in wealthy countries—is for factories to produce liquid oxygen, which tanker trucks then deliver to hospitals, where it can be stored in large containers and then piped into patients’ rooms. Many hospitals in poor countries, however, aren’t equipped to store liquid oxygen, and must rely on an external supply. If a hospital is in a remote location, this can be a serious logistical challenge. Another option is to install on-site plants that extract oxygen from the air. These systems, which use a technology known as pressure swing adsorption, or P.S.A., are expensive, and require maintenance. In October, the Indian government announced plans to build a hundred and sixty-two such plants around the country; thus far, thirty-three have been installed. Laxminarayan’s organization also hopes to create dozens of oxygen-generation plants at Indian hospitals. For now, many hospitals rely on simpler, decentralized technology, which comes with disadvantages: the gaseous oxygen contained in cylinders can cost ten times as much as its liquid equivalent, and oxygen concentrators are usually intended for only one or a few patients at a time. Whatever the process, it’s clear that too many Indians are going without the oxygen they need. Since this February, India’s oxygen requirements have increased fifteenfold; it now needs nearly three times as much medical-grade oxygen as it did during the height of its first wave. Some hospitals have run out of oxygen, and others are on the precipice. Hospitals won’t admit patients whom they can’t treat; many Indians therefore suffer a suffocating illness at home. The government is doing what it can: granting oxygen-transport vehicles an ambulance-like status on roads; leveraging the national railway service to move tankers around the country; enlisting the air force to transport empty containers back to factories to be refilled. On Wednesday, India’s Supreme Court ordered the federal government to present a more comprehensive plan to meet New Delhi’s oxygen needs. Meanwhile, foreign governments and international aid organizations are sending ventilators, concentrators, and cylinders. Still, each day brings fresh reports of people dying because they can’t get oxygen. (The shortage is likely to spread: globally, the deficit of medical oxygen—the gap between what’s needed and what’s being produced—has tripled in recent months, in part owing to the unmet need in India but also because of growing demand in South America and the Middle East.) Technically, Indians have access to universal health coverage: the country’s constitution guarantees everyone a “right to life,” and people can receive care at government facilities free of charge. But, over decades, low levels of public financing have led to poor quality and severe staff and supply shortages. India’s federal government spends around one per cent of G.D.P. on health care—far less than most large economies. Moreover, states share responsibility with the federal government for health care delivery, and that has resulted in a large variation in funding and quality. Many Indians therefore opt to pay for private health care, if they can afford it, and the private sector now provides most care in India, even though commercial health insurance is available to only a fraction of the population and out-of-pocket costs can be devastating. In 2018, the central government launched a major effort aimed at insuring that low-income people could receive care at private facilities. But relatively few Indians have a regular place of care where they can receive ongoing management of their medical conditions or outpatient testing and treatment for covid-19. The coronavirus has severely strained India’s critical-care capacity, which was lacking even before the pandemic: during normal times, the country has around fifteen per cent of the critical-care specialists it needs. More generally, India has nine doctors for every ten thousand people—about half the global average, and only a third as many as the U.S. There’s also the issue of maldistribution: two-thirds of India’s population lives in rural areas, where only twenty per cent of the nation’s doctors work. (Shortages of nurses and other clinicians can be even worse.) VIDEO FROM THE NEW YORKER The Pandemic Through the Eyes of a Three-Year-Old Still, India’s physician-to patient ratio is higher than that of Bangladesh, Nepal, or any nation in sub-Saharan Africa. Many of the globe’s myriad health-care systems share the fundamental constraints that have transformed India’s second wave into a humanitarian crisis—including an oxygen-delivery infrastructure that is unable to meet the demands of a vast viral surge. Many Indians have experienced the current surge as a surprise. But the forces driving it are fundamentally familiar. “Society opened up without restraint,” K. Srinath Reddy, the president of the Public Health Foundation of India and the former chair of cardiology at the All India Institute of Medical Sciences, told me. “It was widely perceived that the pandemic is behind us, that we are unlikely to have a second wave. We didn’t just return to 2019—we entered 2021 with an extra degree of exuberance.” Politicians encouraged people to gather at massive rallies; cricket stadiums filled with fans; malls opened to shoppers and weddings welcomed guests. The government sanctioned the Kumbh Mela, a Hindu religious festival, and millions of people made the pilgrimage to Haridwar, in the northern state of Uttarakhand, to wash in the River Ganges. The festival started on April 1st and continued for nearly three weeks before the coronavirus toll became unbearable and undeniable. Afterward, people carried the virus back to far-flung cities and villages. “The euphoria of putting the pandemic behind us was a widely prevalent emotion, and it suited everyone,” Reddy said. “Industry wanted to get back to full production. Small traders wanted to get back to business. Ordinary citizens wanted to get back to their lives.” Many countries have engaged in wishful thinking during the pandemic; all have struggled to fight the virus while avoiding economic collapse. The Indian experience speaks specifically to the problem of endurance, and raises the question of how long low- and middle-income countries can maintain pandemic protocols absent a clear time line for widespread vaccination. The U.S. and much of Europe have navigated the pandemic while looking forward to early and reliable access to vaccines; if we didn’t have a firm end date, we at least knew that an end was approaching. Under such conditions, politicians and the public can examine, debate, and accept the costs of restrictions. But that calculus is harder, perhaps impossible, without some assurance that pandemic life is temporary. ADVERTISEMENT The global vaccination effort has faltered, with poor countries receiving a fraction of the vaccines they had expected. covax, the world’s primary initiative to promote vaccine equity, had planned to deliver two billion doses in 2021; so far, it’s sent out about fifty million. Less than half of one per cent of all covid-19 vaccines have been administered in poor nations. “We’re now in this very strange situation where we’re talking about fourteen-year-olds in America getting vaccinated, while older people around the world remain vulnerable and entire countries are devastated,” Ashish Jha, the dean of Brown’s public-health school, told me. “It’s a moral issue, but it’s also an epidemiological one. We’re **placing everyone at risk when we let the virus run rampant.** It creates a huge substrate for new variants. We need to **quadruple our efforts to get the world vaccinated.** That has to be the No. 1 priority for the Biden Administration going forward.” The U.S. has committed four billion dollars to covax, which still faces a funding shortfall of tens of billions of dollars. Last week, the Biden Administration also announced its support for waiving intellectual-property protections for covid-19 vaccines. The proposed waiver—it must be approved by the World Trade Organization—has been **hailed by many public-health practitioners**; the director-general of the W.H.O., Tedros Adhanom Ghebreyesus, called Biden’s support for the proposal “a monumental moment” in the fight against the pandemic. But others have sounded a cautionary note, raising the possibility that the spectre of patent waivers will disincentivize companies from investing in vaccine and drug development in the future. “I wonder whether we want to send potential firms the message that the larger the health crisis, the less we will respect and protect your I.P.,” Craig Garthwaite, a professor at Northwestern University, tweeted, after the Biden Administration’s announcement. “That’s a great system if you think this is the last pandemic we’ll face.”

#### That causes Indo-Pak conflict escalation.

**Somos 20**. [Christy Somos is a CTVNews.ca Writer) “COVID-19 has escalated armed conflict in  India, Pakistan, Iraq, Libya and the Philippines, study finds,” CTV News, December 17, 2020.  https://www.ctvnews.ca/world/covid-19-has-escalated-armed-conflict-in-india-pakistan-iraq libya-and-the-philippines-study-finds-1.5236738] TDI

INDIA India saw a rise in armed conflict during the study period, with violent clashes in the Kashmir  region between Kashmiri separatists facing off against the Indian military, as well as **conflicts  between Pakistan and India.** “So what mostly drove the increase in conflict intensity…were basically due to two factors,” Ide said.  “The first being that there is some evidence that Pakistan sponsors or supports these insurgents in  Kashmir, to encourage them to increase their attacks [on Indian forces] because they **perceived  them to be weak and struggling with the pandemic**.” The second factor, Ide explained, was that while Indian  government enacted a “pretty comprehensive lockdown in Kashmir, and sealing it way from  international media attention…**launched more intense counter-insurgency efforts** and…crack[ed] down on any pro-Pakistani sympathy expressions.” IRAQ Iraq had an increase in armed conflict,  but Ide noted that the overall intensity did not change that much – a “very slight upward trend” in scale that was not linear. What did increase were  attacks by ISIS in April, May, and June. “The Iraqi government was really in trouble,” he said. “They had enormous economic loss, they had to go head to-head and use troops and funds to combat the pandemic – the international coalition supporting the government partially withdrew troops or  stopped their activities.” “The Iraqi government was really in a position of weakness.” Ide said the Islamic State exploited the pandemic and the thin  resources at hand to the government to expand territorial control, conquer new areas and to stage more attacks. LIBYA The civil war in Libya between  the Government of National Accord’s (GNA) forces and the Libyan National Army escalated during the study period, after a ceasefire brokered in  January was broken, Ide said. “As soon as international attention shifted to the pandemic…they really escalated the conflict, tried to make gains while  hoping the other side is weakened because of the pandemic, hoping to score an easy military victory” Ide said. “It didn’t happen.” The UN Security  Council noted in a May report that the pandemic was bolstering the 15-month conflict, citing the history of more than 850 broken ceasefire agreements  and “a tide of civilian deaths” on top of a worsening outbreak. PAKISTAN The ongoing conflict with **India saw a rise in  armed conflict in Pakistan** during the study period – which were unrelated to the pandemic, but also a rise in Taliban affiliated groups and anti-government sentiments due to pandemic restrictions, Ide said. “There were a lot  of anti-government grievances,” Ide said. “There were restrictions on religious gatherings, which religious  groups did not like, and there were some negative **economic impacts which affected the local  people**.” Ide said those two factors could have been exploited by the Taliban in a quest to recruit more followers. Later in the study period, a  swath Pakistani government officials were struck with COVID-19, **leaving the country with a  leadership crisis**, which saw an increase of attacks by Taliban groupsin May.

#### Even a limited Indo-Pak war causes extinction.

**Menon 19** Prakash Menon, The nuclear cloud hanging over the human race, Nov 15, 2019, [PhD from Madras University for his thesis “Limited War and Nuclear Deterrence in the Indo-Pak context”] [https://www.telegraphindia.com/opinion/the-nuclear-cloud-hanging-over-the-human-race/cid/1719608#](https://www.telegraphindia.com/opinion/the-nuclear-cloud-hanging-over-the-human-race/cid/1719608) SM

The nuclear cloud hanging over the human race **Even a limited India-Pakistan nuclear conflict could pose an existential challenge to life on Earth The smoke injected into the stratosphere due to a nuclear attack would block the sunlight and result in a ‘Nu**clear Winter' - freezing temperatures that pose an existential threat. One study estimates that in an India-Pakistan exchange, the immediate casualties could number 125 million lives The smoke injected into the stratosphere due to a nuclear attack would block the sunlight and result in a ‘Nuclear Winter' - freezing temperatures that pose an existential threat. One study estimates that in an India-Pakistan exchange, the immediate casualties could number 125 million lives iStock Prakash Menon | | Published 15.11.19, 08:04 PM With the recent administrative changes in Jammu and Kashmir, Indo-Pak hyphenation has come back to haunt India’s aspirations to break out of that narrow mould and be perceived as an independent player on the global stage. The clubbing of India with Pakistan is an echo of India’s political and strategic confinement to the sub-continent. Pakistan has always attempted to paint the Indo-Pak situation as a nuclear flashpoint essentially to invite international intervention in what India insists is a bilateral issue. A recent report in the Bulletin of Atomic Scientists by Toon et al entitled 'How an India-Pakistan Nuclear War Could Start and have Global Consequences' provides grist to the mill of the nuclear flashpoint theory. But it also raises an issue that has yet not found its place in the public imagination nor has sufficient cognisance been taken by the political and military leadership of nuclear weapon powers – the climatic consequences of nuclear explosions. It is well known that nuclear powers have and continue to base their targeting requirements of nuclear weapons on calculations that are restricted mostly to the major but immediate effects of nuclear explosions – blast, heat and radiation. According to General Lee Butler, the former United States, Strategic Forces Commander, during the cold war, the Standard Integrated Operation Plan (SIOP) had targeted Moscow with 400 nuclear weapons and Kiev with 40. Several scientific studies of the impact of nuclear explosions since the 1980s up to the present which utilises advanced computer models, confirm the effect of smoke injected into the stratosphere that would block sunlight from reaching the earth’s surface and is described as ‘Nuclear Winter’. In essence global temperatures would plunge below freezing point thus posing threats to life support systems especially food production. In short, it threatened human existence itself. Later studies that focused on regional nuclear wars especially in the Indo-Pak context, have indicated that the impact of a nuclear exchange would have an immediate significant and catastrophic impact in terms of death and destruction. The latest Toon study, estimates that in a situation where around 350 warheads are used by India and Pakistan, the immediate casualties would vary between 50 to 125 million lives depending on the yields of the weapons used which could vary between 15-100 Kilotons. (a Kiloton being the explosive equivalent power of 1000 tons of TNT). Such scales and speeds of destruction for both parties would indeed be of an existential nature. Therefore, both India and Pakistan despite the rhetoric during times of tension have so far displayed caution and refrained from getting into situations where nuclear weapons are alerted. The speedy de-escalation after Balakot is indicative of a cautionary approach. Of course, this is no guarantee that the next round would not witness a different outcome. For as long as nuclear weapons exist in the arsenals of both countries, the possibility of use remains, however low the probability. It is now well known (but widely ignored by the strategic cognoscenti) **that even a regional Indo-Pak nuclear war with hundreds of low yield nuclear explosions can also pose an existential threat** at the global level. The latest study states “In the India-Pakistan scenario, we calculated a total of 16.1 TG (1 TG is equivalent of one million tons of smoke) of black carbon injected into the upper atmosphere (11 from India and 5.1 from Pakistan) for weapons with yields of 15 kilotons; 27.3 TG (19.8 from India and 7.5 from Pakistan) for 50 kiloton weapons; and 36.6 TG (27.5 from India and 9.1 from Pakistan) for 100 kiloton weapons**. The smoke would be heated by sunlight and lofted high into the stratosphere,** where it could remain for years, since it does not rain in the stratosphere”. The Climate Model indicates that global average temperatures and precipitation would be **significantly lowered and comparisons are drawn to the ice age that prevailed thousands of years ago. Agriculture around the world would be impacted and billions of people could face starvation.** In earlier studies, even 5 TG of smoke produced (which is one third of what is expected in a lower scale Indo-Pak conflict), food production would change in China and the US for specific crops causing widespread shortages at the global level. Moreover, the ozone layer would be degraded as the rising smoke absorbs the sunlight and heats up the stratosphere that would permit ultra-violet rays of greater magnitude to reach the earth causing negative effects. The political and strategic implications of the long-term impact on climate change challenges the foundations of the edifice on which nuclear weapon strategy has been constructed. It is obvious that any deliberate initiation **of nuclear war has a high probability of posing an existential threat to humanity**. Even with the achievement of the complete destruction of an adversary’s arsenal through a first strike, the initiator cannot itself escape the existential threat posed by long term climate change. This indicates that the First Use doctrine in the name of strengthening deterrence stands fully exposed for its incredibility and the utter stupidity of the use of nuclear weapons.

#### The plan bolsters the number of vaccines---arguments about supply and logistics are empirically disproven.

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Since consequentialist justifications treat the value of IP as purely instrumental, they are also vulnerable to counterarguments showing that a sought-after goal is not the sole or most important end. During the COVID-19 pandemic, we submit that the vaccinating the world is an overriding goal. With existing IP protections intact, the world has fallen well short of this goal. Current forecasts show that at the current pace, there will not be enough vaccines to cover the world’s population until 2023 or 2024.15 IP protections further frustrate the goal of universal access to vaccines by limiting who can manufacturer them. The WHO reports that 80% of global sales for COVID-19 vaccines come from five large multinational corporations.16 Increasing the number of manufacturers globally would not only increase supply, but reduce prices, making vaccines more affordable to LMICs. It would stabilise supply, minimising disruptions of the kind that occurred when India halted vaccine exports amidst a surge of COVID-19 cases.

It might be objected that waiving IP protections will not increase supply, because it takes years to establish manufacturing capacity. However, since the pandemic began, we have learnt it takes less time. Repurposing facilities and vetting them for safety and quality can often happen in 6 or 7months, about half the time previously thought.17 Since COVID-19 will not be the last pandemic humanity faces, expanding manufacturing capacity is also necessary preparation for future pandemics. Nkengasong, Director of the African Centres for Disease Control and Prevention, put the point bluntly, ‘Can a continent of 1.2billion people—projected to be 2.4billion in 30 years, where one in four people in the world will be African—continue to import 99% of its vaccine?’18

### Underview

**1] Aff gets 1AR theory – otherwise the neg can be infinitely abusive and there’s no way to check against this. 1AR theory is drop the debater, competing interps, and the highest layer of the round – the 1ARs too short to be able to rectify abuse and adequately cover substance – you must be punished. No 2NR paradigm issues or RVIs because they have 6 minutes to go for them whereas I only have a 3 minute 2AR to respond so I get crushed on time skew.**

#### 2] RVI and reasonability on NC theory – you can read arguments such as T that are exclusively neg so I need them to compensate and weighing is structurally unfair since the 7-4-6-3 time skew means that the neg can just dump on weighing and the 2ar becomes impossible. This means that if either side has any offense under any framing then you default aff.