# 2nr

Funct comp

rvis

#### Counter Interpretation: the negative may read [2 conditional advocacies].

#### Standards:

#### Reciprocity: 1AR offense flips the time skew since they have 3 minutes collapse to 1 argument, so the neg needs to over-cover every 1AR response or they lose on it. Only condo solves – going for the least covered position ensures the neg can cover all the aff responses, but the aff can still collapse on 3 minutes to 1 response to equalize the 2NR collapse

#### Breadth over depth: We need to test the aff from multiple angles because that’s key to real world education because policymakers test all viable options, and breadth

#### On their Standards:

#### There is no strat skew: the negative is equally disadvantaged because of 2ar collapse

#### Depth of argument: The affirmative can also kick out of one or more of their advantages based on what the negative covers the most in the NC, so we do not hurt fairness. Education isn’t hurt either, because by responding to all my arguments you gain educational value and important debate skills in this round. The neg also gets education because they have researched and read multiple counterplans, and learning and deciding how to kick something has strategic value.

#### Quality down: poor argument quality is necessary to test policymaking, this is the only way debaters can succeed and modify their arguments which improves education in the round.

Dispo doesn’t solve—still have to rely on the aff for If you want a debate where its just who reads the most impact turns v. net benefits than accept dispo, forcing straight turns is bad bc prevents arg creativity and devloepemnt.

Case

#### Restricting IP protections undermines innovation and profit margins – turns case by precluding vaccine distribution to developing countries.

Cueni 12/10 [(Thomas, Director General of IFPMA, chair of the AMR Industry Alliance, Industry Co-Chair APEC Biopharmaceutical Working Group on Ethics, MA in politics from the London School of Economics) “The Risk in Suspending Vaccine Patent Rules,” New York Times, 12/10/2020] TDI

It is unclear how suspending patent protections would ensure fair distribution. But what is clear is that if successful, the effort would jeopardize future medical innovation, making us more vulnerable to other diseases.

Intellectual property rights, including patents, grant inventors a period of exclusivity to make and market their creations. By affording these rights to those who create intangible assets, such as musical compositions, software or drug formulas — people will invent more useful new things.

Development of a new medicine is risky and costly. Consider that scientists have spent decades — and billions of dollars — working on Alzheimer’s treatments, but still have little to show for it. The companies and investors who fund research shoulder so much risk because they have a shot at a reward. Once a patent expires, generic companies are free to produce the same product. Intellectual property rights underpin the system that gives us all new medicines, from psychiatric drugs to cancer treatments.

In trying to defend these rights, the drug industry has made mistakes in the past that have lost people’s trust. More than 22 years ago, for example, a group of drug companies sued the South African government for trying to import cheaper anti-AIDS drugs amid an epidemic. With price standing between patients and survival, the suit, which the companies eventually dropped, was a terrible misjudgment. The current situation is not parallel.

Several major drug companies, including AstraZeneca, GlaxoSmithKline and Johnson & Johnson, have pledged to offer their vaccines on a not-for-profit basis during the pandemic. Others are considering differential pricing for different countries. As of last month, four major pharmaceutical companies had already agreed to eventually produce at least three billion vaccine doses for low- and middle-income nations, according to one analysis.

In South Africa and India, pharmaceutical companies are already working with local partners to make their vaccines available. Johnson & Johnson has entered into a technology transfer partnership for its candidate vaccine with South Africa’s Aspen Pharmacare, and AstraZeneca has reached a licensing agreement with the Serum Institute of India to develop up to 1 billion doses of its vaccine for low and middle-income countries.

Companies can afford to license patents for free, or sell drugs at cost, precisely because they know that their intellectual property will be protected. That’s not a flaw in the system; it’s how the system ensures that pharmaceutical research will continue to be funded.

# 1nc

Country spec bad – rez specifies the WTO ought to act, not the US

Violation – plan specifies the US as the actor instead of the WTO

1. Predictability – given the WTO as the actor of the plan, it’s arbitrary to change it a random other country to reak benefits of avoiding the WTO in general
2. Ground – they steal a good portion of neg ground, including all my WTO bad links and cap links don’t even apply here. Process cps like the US PIC or CP can’t be run bc their actor is completely different than the rez too

Hurts education cuz bc debates become rly futile and difficult when they’re unpredictable – bad for arg development when hlaf of my args are taken by them

## DA

#### Congress won’t withdraw the US from the WTO now, but more unfair trade practices abroad causes widespread backlash that ends involvement

Johnson 20 [Keith Johnson, a senior staff writer at Foreign Policy, 05-07-2020, “U.S. Effort to Depart WTO Gathers Momentum,” Foreign Policy, https://foreignpolicy.com/2020/05/27/world-trade-organization-united-states-departure-china/]/Kankee

Frustration with hyperglobalization, China’s “economic imperialism,” and a seemingly broken world trading system is boiling over into serious calls for the United States to withdraw from the World Trade Organization (WTO)—which would have potentially disastrous implications for the country if carried out. For the first time since 2005, lawmakers from both parties and both houses of Congress are pushing to pull the United States out of the trading body it helped create and which was the culmination of decades of postwar efforts to boost free trade and economic integration. By law, the United States has a chance to vote every five years on staying inside the WTO, but staying on board was such a no-brainer in recent years that no such resolution was even presented. But this year—powered by a rise in economic nationalism, growing concern about China, and frustration with two decades of paralysis at the WTO—the knives on Capitol Hill are out, to the delight of some of the trade hard-liners in the White House. “The WTO has been a disaster for the United States,” said Rep. Peter DeFazio, an Oregon Democrat, who introduced House legislation to withdraw this month. “No trade regime can last when it no longer serves the people of the countries who are part of it,” said Sen. Josh Hawley, a Missouri Republican, in a recent Senate floor speech after introducing his own resolution to leave. “Our interests and those of the WTO diverged long ago.” It’s doubtful that the measures could secure enough votes for passage in either chamber, and a tight legislative calendar makes the push for withdrawal doubly hard to pull off. But the rush for the exit is still a serious indication of deep and growing dissatisfaction with how global trade has evolved, highlighted by the vulnerability of cross-border supply chains that have begun to come apart under the stress of the COVID-19 pandemic. If the United States were to pull out of the system it helped build, the implications would be dire. Other countries would be able to discriminate against U.S. goods and services with no limits. Tariffs would almost certainly rise and export markets shrink. Meanwhile, others like China and the European Union would increasingly be in a position to write the rules of the future economy, from data protection and privacy to intellectual property and state subsidies. “We’d have no rights, and we’d lose a seat at the table,” said Wendy Cutler, a former U.S. trade negotiator now at the Asia Society. Why the big push now? For years, different aspects of the global trading system have stirred concern and at times anger in the United States and other countries; the WTO has essentially been stuck in place since the collapse of its last big negotiating round in 2008. For years, economists have debated the impact of the so-called “China shock” on U.S. jobs and manufacturing, and some evidence has shown that the competition from low-wage Chinese labor and the rapid movement of U.S. companies offshore hit the U.S. middle class harder than many economists expected. For years, Republicans have railed against international organizations—from the WTO to the International Criminal Court—that they see as encroaching on U.S. sovereignty. Now, all those forces have come together in a kind of imperfect storm.

#### A major country operating outside WTO consensus wrecks global trade norms

Bacchus 20 [James Bacchus, member of the Herbert A. Stiefel Center for Trade Policy Studies, the Distinguished University Professor of Global Affairs and director of the Center for Global Economic and Environmental Opportunity at the University of Central Florida, 12-16-2020, "An Unnecessary Proposal: A WTO Waiver of Intellectual Property Rights for COVID-19 Vaccines," Cato Institute, [https://www.cato.org/free-trade-bulletin/unnecessary-proposal-wto-waiver-intellectual-property-rights-covid-19-vaccines]/Kankee](https://www.cato.org/free-trade-bulletin/unnecessary-proposal-wto-waiver-intellectual-property-rights-covid-19-vaccines%5d/Kankee)

In a sign of their increasing frustration with global efforts to ensure that all people everywhere will have access to COVID-19 vaccines, several developing countries have asked other members of the World Trade Organization (WTO) to join them in a sweeping waiver of the intellectual property (IP) rights relating to those vaccines. Their waiver request raises anew the recurring debate within the WTO over the right balance between the protection of IP rights and access in poorer countries to urgently needed medicines. But the last thing the WTO needs is another debate over perceived trade obstacles to public health. Unless WTO members reach a consensus, the multilateral trading system may be further complicated by a delay like that in resolving the two‐​decades‐​old dispute between developed and developing countries over the compulsory licensing and generic distribution of HIV/AIDS drugs. A new and contentious “North‐​South” political struggle definitely would not be in the interest of the developed countries, the developing countries, the pharmaceutical companies, or the WTO. Certainly it would not be in the interest of the victims and potential victims of COVID-19. Background In early October 2020, India and South Africa asked the members of the WTO to waive protections in WTO rules for patents, copyrights, industrial designs, and undisclosed information (trade secrets) in relation to the “prevention, containment or treatment of COVID-19 … until widespread vaccination is in place globally, and the majority of the world’s population has developed immunity.”1 India and South Africa want to give all WTO members freedom to refuse to grant or enforce patents and other IP rights relating to COVID-19 vaccines, drugs, diagnostics, and other technologies for the duration of the pandemic. In requesting the waiver, India and South Africa have argued that “an effective response to the COVID-19 pandemic requires rapid access to affordable medical products including diagnostic kits, medical masks, other personal protective equipment and ventilators, as well as vaccines and medicines for the prevention and treatment of patients in dire need.” They have said that “as new diagnostics, therapeutics and vaccines for COVID-19 are developed, there are significant concerns, how these will be made available promptly, in sufficient quantities and at affordable prices to meet global demand.”2 Later in October, the members of the WTO failed to muster the required consensus to move forward with the proposed waiver. The European Union, the United States, the United Kingdom, and other developed countries opposed the waiver request.3 One WTO delegate, from the United Kingdom, described it as “an extreme measure to address an unproven problem.”4 A spokesperson for the European Union explained, “There is no evidence that intellectual property rights are a genuine barrier for accessibility of COVID‐​19‐​related medicines and technologies.”5 In the absence of a consensus, WTO members have decided to postpone further discussion of the proposed waiver until early 2021. Balancing IP Rights and Access to Medicines Not New to WTO This waiver controversy comes nearly two decades after the end of the long battle in the multilateral trading system over access to HIV/AIDS drugs. At the height of the HIV/AIDS crisis at the turn of the century, numerous countries, including especially those from sub‐​Saharan Africa, could not afford the high‐​priced HIV/AIDS drugs patented by pharmaceutical companies in developed countries. Having spent billions of dollars on developing the drugs, the patent holders resisted lowering their prices. The credibility of the companies, the countries that supported them, and the WTO itself were all damaged by an extended controversy over whether patent rights should take precedence over providing affordable medicines for people afflicted by a lethal disease. Article 8 of the WTO Agreement on the Trade‐​Related Aspects of Intellectual Property Rights (the TRIPS Agreement) provides that WTO members “may, in formulating or amending their laws and regulations, adopt measures necessary to protect public health … provided that such measures are consistent with the provisions of this Agreement.” In similar vein, Article 7 of the TRIPS Agreement provides that the “protection and enforcement of intellectual property rights” shall be “in a manner conducive to social and economic welfare.”6 It can be maintained that these two WTO IP rules are significantly capacious to include any reasonable health measures that a WTO member may take during a health emergency, such as a pandemic. Yet there was doubt among the members during the HIV/AIDS crisis about the precise reach of these provisions. As Jennifer Hillman of the Council on Foreign Relations observed, ordinarily the “inherent tension between the protection of intellectual property and the need to make and distribute affordable medicines” is “resolved through licensing, which allows a patent holder to permit others to make or trade the protected product—usually at a price and with some supervision from the patent holder to ensure control.”7 But, in public health emergencies, it may be impossible to obtain a license. In such cases, “compulsory licenses” can be issued to local manufacturers, authorizing them to make patented products or use patented processes even though they do not have the permission of the patent holders.8

#### Even small changes make pharma companies fear patent reform

Asgari et al. 21 [Nikou Asgari, markets reporter for the Financial Times, Donato Paolo Mancini, FT's pharma reporter, and Hannah Kuchler, FT’s global pharmaceutical correspondent, 05-06-2021, "Pharma industry fears Biden’s patent move sets precedent," FT, https://amp.ft.com/content/f54bf71b-87be-4290-9c95-4d110eec7a90]/Kankee

Profits in the pharmaceutical industry are protected by a fortress of patents that guarantee drugmakers a stream of income until they expire. On Wednesday, Joe Biden broke with decades of US orthodoxy and made a crack in the wall. His administration’s decision to support a temporary waiver of Covid-19 vaccine patents prompted instant outrage in the pharmaceutical sector, which argues that the move rides roughshod over their intellectual property rights and will discourage US innovation while sending jobs abroad. “Intellectual property is the lifeblood of biotech, it’s like oxygen to our industry,” said Brad Loncar, a biotech investor. “If you take it away, you don’t have a biotech sector.” Biden’s top trade adviser Katherine Tai said that while the US government still “believes strongly” in intellectual property protections, it supported waiving patents for Covid-19 vaccines to help boost global production of jabs. The move comes as some countries, including India, struggle to tackle further waves of the virus even as others have rolled out successful vaccination campaigns that are driving down infections, hospitalisations and deaths. The waiver proposal was put forward at the World Trade Organization in October and has since been supported by more than 60 countries who say worldwide vaccine production must increase dramatically. Washington’s support marks a pivotal step in making the proposal a reality and Tai said the US would engage in negotiations to hammer out the details at the WTO. Tedros Adhanom Ghebreyesus, the WHO’s director-general, told the Financial Times the decision was a “monumental moment” in the fight against Covid-19. “I am not surprised by this announcement. This is what I expected from the administration of President Biden.” However, the pharma industry did not expect it; the US has tended to fiercely protect domestic companies’ intellectual property rights in trade disputes. Industry leaders described the decision as a heavy blow for innovation that would do little to boost global production because there is a shortage of manufacturing facilities and skilled employees. In an earnings call Thursday, Stéphane Bancel, chief executive of Moderna, said a patent waiver “will not help supply more mRNA vaccines to the world any faster in 2021 and 2022, which is the most critical time of the pandemic”. “There is no idle mRNA manufacturing capacity in the world,” he said. “The administration’s steps here are very unnecessary and damaging,” said Jeremy Levin, chair of biotech trade association Bio. “Securing vaccines rapidly will not be the result, and worse yet, it sets a principle that companies who invested in new tech will stand the risk of having that taken away.” Shares in the big makers of Covid-19 vaccines were hit by the announcement. Frankfurt-listed shares in BioNTech closed down 12 per cent on Thursday while Moderna and Novavax pared losses after tanking on Wednesday in New York, trading 2.4 per cent lower and 1 per cent lower, respectively. CanSino Biologics, a Chinese private company that developed a single-shot adenovirus-vectored vaccine with Chinese military researchers, fell 14 per cent on Thursday. Fosun Pharma, which has a deal to supply BioNTech vaccines in China, lost 9 per cent. Sven Borho, a managing partner at OrbiMed Advisors, a healthcare investment company, said pharma executives feared the administration’s move set a precedent that would make it easier to suspend patents in the future. “They are worried in the long term that this is a foot in the door — ‘OK, we did it with Covid-19, let’s do it with the next crisis, and the next one’,” he said. “And then suddenly it’s a cancer drug patent that needs to be invalidated. They fear it is a mechanism that sets the stage for actions in the future.” Peter Bach, director of Memorial Sloan Kettering’s Center for Health Policy and Outcomes, said there was a potential trade-off that pitted the imminent need to contain the pandemic against the risk that drugmakers would be more cautious when investing in pioneering therapies in the future.

#### US withdrawal from the TWO collapses global trade and causes WWIII

Hopewell and Horton 08-03 [Kristen Hopewell Associate Professor and Canada Research Chair in Global Policy at the University of British Columbia, and Ben Horton, Communications Manager; Project Lead, Common Futures Conversations, 08-03-2021, "Lessons from Trump’s assault on the World Trade Organization," Chatham House – International Affairs Think Tank, https://www.chathamhouse.org/2021/08/lessons-trumps-assault-world-trade-organization]/Kankee

What has this episode revealed about the strength of multilateral institutions such as the WTO, in the face of spoiling tactics from major powers? The WTO is unique amongst international institutions because it has a powerful enforcement mechanism – the dispute settlement system. However, the fundamental vulnerability is that if powerful states like the US and others won’t participate in the system and be bound by its rules, they quickly risk becoming irrelevant. And that’s the situation we’re in right now with the appellate body crisis, where, without a functioning mechanism to ensure that WTO rules are enforced, the entire system of global trade rules risk collapsing. Ironically, the United States has been the leader of the liberal trading order for the past 70 years, but since Trump, it has become its leading saboteur. What are the implications of a permanent collapse of the international trading system? The very real danger from such a breakdown is a return to what we saw in the 1930s. In response to the outbreak of the Great Depression, you had countries imposing trade barriers, blocking imports from other state, and a general escalation of tit-for-tat protectionism. This response wound up not only exacerbating the effects of the depression itself but has also been credited by some as paving the way for the outbreak of the second world war. The reason why institutions like the WTO were created in the first place was to prevent a recurrence of the 1930s protectionist trade spiral. The danger now – if those rules become meaningless and unenforceable – is the institutional foundations of postwar economic prosperity could unravel, throwing us back into economic chaos and potentially political disorder. What does the WTO’s future look like under new director-general Dr Okonjo-Iweala?

## CP

#### CP Text: Vaccine developers should enter into binding contractual agreements with generic producers to ensure the quality of generic products and establish royalty rates on generic sales. The member nations of the WTO should publicly declare their support of legitimate compulsory licensees in the cases where voluntary requests have been ignored.

Silverman 3/15 [Rachel Silverman is a policy fellow at the Center for Global Development where she leads policy-oriented research on global health financing and incentive structures. Silverman’s current research focuses on the practical application of results-based financing; global health transitions; efficient global health procurement; innovation models for global health; priority-setting for UHC; alignment and impact in international funding for family planning; and strategies to strengthen evidence and accountability. BA with distinction in international relations and economics from Stanford University.) “Waiving vaccine patents won’t help inoculate poorer nations” Washington Post, PostEverything Perspective, <https://www.washingtonpost.com/outlook/2021/03/15/vaccine-coronavirus-patents-waive-global-equity/>] RM

There are better options than broadly waiving IP rules — notably, encouraging (and pressuring) vaccine manufacturers to cooperate and share knowledge with partners across the globe. Voluntary licensing is one route: It’s a common arrangement in which developers enter into binding contractual agreements with generic producers. Generic manufacturers get permission, know-how and assistance from the patent-holder to produce the vaccine for sales in specified markets; in exchange, the patent-holder can ensure quality of the generic product and may receive royalties on its sales, usually representing less than 10 percent of sales value.

These royalties may be lower than the profit margin on direct sales; for example, Pfizer expects a 25 to 30 percent profit on its vaccine sales, or roughly $5 for every $19.50 dose. (The U.S. government has agreed to buy 300 million doses at that price.) But voluntary licensing deals offer a new revenue stream that would otherwise be captured by competitors — not to mention good publicity. Already, **voluntary licensing deals from AstraZeneca and Novavax are facilitating large-scale production in India, Japan and South Korea**; many of the resulting vaccines are destined for lower-income countries through Covax.

The best route to vaccine equity involves creatings the conditions to facilitate more of these voluntary deals.

How can governments and activists help push things in the right direction? By lifting the export curbs on materials such as filters and bioreactor bags intended to protect domestic supply, countries can help lubricate supply chains, creating a better environment for cross-national collaboration. Governments and development-finance institutions can invest to build up the capabilities of potential vaccine manufacturing plants, making it easier for originators to say yes. Domestically, the Biden administration did something like this when it [invested](https://www.merck.com/news/merck-to-help-produce-johnson-barda-to-provide-merck-with-funding-to-expand-mercks-manufacturing-capacity-for-covid-19-vaccines-and-medicines/) $269 million under the Defense Production Act to prepare Merck’s manufacturing facilities to produce the Johnson & Johnson vaccine — a crucial plank of the [joint production deal](https://www.hhs.gov/about/news/2021/03/02/biden-administration-announces-historic-manufacturing-collaboration-between-merck-johnson-johnson-expand-production-covid-19-vaccines.html) announced this month. Similar efforts are underway abroad. On March 12, for example, the “Quad” — the United States, India, Japan and Australia — [announced](https://www.reuters.com/article/us-usa-asia/u-s-india-japan-and-australia-counter-china-with-billion-dose-vaccine-pact-idUSKBN2B40IP) a joint pledge to produce and disseminate 1 billion vaccine doses; as part of this effort, the Biden administration [announced](https://in.usembassy.gov/dfc-announces-support-for-manufacturing-of-vaccines-during-quad-summit/) that it would help finance an Indian generic manufacturer to make coronavirus vaccines, including the Johnson & Johnson product. The contractual language of licensing deals can explicitly protect IP from broader dissemination, helping originators feel more comfortable sharing commercially valuable information.

Sticks as well as carrots can facilitate partnerships. Under [existing World Trade Organization rules](https://www.wto.org/english/tratop_e/trips_e/public_health_faq_e.htm), countries already have the right to issue “compulsory licenses” in certain cases pertaining to public health, allowing them to produce or import generic health products without permission from the patent-holder. Advocates correctly point out that countries face potential retaliation from industry and wealthy governments when they try to use these tools — a strong disincentive. (In 2006-2007, Thailand’s use of compulsory licenses to access more affordable AIDS drugs led the United States to revoke preferential trade status for some Thai exports.) This should change. The Biden administration and other global leaders should make clear that they will support legitimate compulsory licensees of coronavirus vaccines in cases where a valid voluntary license request has been rejected or ignored.

**But compulsory licensing is vastly inferior to voluntary deals in the case of vaccines, because with the former the generic producer would still need to figure out how to make the vaccines without the originator’s assistance — again, an extraordinarily difficult task.** It is useful mainly as a threat held in reserve, paired with the “carrots” of subsidies to local plants and so on. **Firms may choose to play ball on voluntary licensing deals rather than face a mess of legal challenges and bad publicity.** This month, for example, Canadian biotech firm Biolyse Pharma publicly requested a voluntary license to manufacture the Johnson & Johnson vaccine for global distribution. If Johnson & Johnson is unwilling, Biolyse made clear in its announcement, the company will appeal to the Canadian government for a compulsory license. The ball is now in Johnson & Johnson’s court — but this seems like the type of offer it should choose to accept, **both for the global good and its self-interest**.

Scaling up vaccine production is an imperative for equitable global access and an end to the pandemic**. But it is smart incentives for sharing knowledge, not the wholesale elimination of intellectual-property rights, that will get us to the finish line.**

## K

#### Aff is an example of slash and burn capitalism which discloses socialist goals, and promotes unregulated capitalism

Williams 20 [Joan C. Williams and Ro Khanna, Harvard Buisness Review, “It’s Time to End Slash-and-Burn Capitalism”, October 28, 2020. https://hbr.org/2020/10/its-time-to-end-slash-and-burn-capitalism]

The conversation about stakeholder capitalism is heartening evidence that the business community recognizes that capitalism has gone seriously off track. The obvious criticism is that, while CEOs are well-placed to pursue profits, they are ill-suited to weigh and balance the needs of the environment and many different stakeholders, as has been cogently argued in The New York Times. And so far, the follow-through on the embrace of stakeholder capitalism has been decidedly mixed. What’s needed is not to make CEOs into central planners but to evolve toward sustainable capitalism — and away from the slash-and-burn capitalism of recent decades. In their pursuit of quarterly profits and high salaries, there has emerged since the 1980s a dysfunctional version of capitalism that does to the economy what clearcutting does to forests — destroys the conditions necessary for long-term success by focusing excessively on short-term profits. We don’t need to reinvent capitalism. We just need to practice it. That means that corporations that embrace market mechanisms and decry government intervention in the good times should not change the rules when times turn tough. Privatizing profits while socializing risks isn’t capitalism: It’s rigged roulette. Equally important, practicing capitalism does not mean insisting on special treatment from government that benefits shareholders at the expense of other stakeholders. And it means treating government as the vital partner to business, one that supports the physical and social infrastructure, and the political stability, that make business possible. The pattern of privatizing profits while socializing risk goes back to the 2008 recession, and has continued in the current crisis: in the U.S., the Pandemic Unemployment Assistance covers independent contractors, but American companies pay into the tax that finances unemployment insurance only for workers classified as employees. So, in effect, companies that rely on gig workers have shifted the cost of those workers’ unemployment insurance onto taxpayers. So have traditional companies that pay so little that their workers qualify for Medicaid and other programs, shifting their health insurance costs onto the U.S. taxpayer; in fact, there’s a company that provides a service used throughout the U.S. to help corporate employees shift over from company benefits to government programs. But the airlines are the best example. During the flush times, airlines happily pocketed the profits on the grounds that they are private. But when travel tanked during the pandemic, suddenly airlines insisted on huge bailouts on the grounds that saving them entails a public good. As we saw in 2008, this creates moral hazards that undermine the incentive structures that make capitalism work. Starving Government Sustainable capitalism requires paying a fair share in taxes, but slash-and-burn capitalism aims to do exactly the opposite. In the process, it has severely hobbled government’s ability to deliver basic services. As the pandemic has shown so dramatically, the instinctive assumption that businesses thrive better when taxes are as low as possible is factually incorrect. “Starving the beast” led to the gutting of public health departments, which during the pandemic has had devastating effects for the economy and the businesses that operate within it. Even if the administration had wanted to take the kinds of effective steps that have worked so well in countries that have reopened, we did not have the public health infrastructure to do so. Digging deeper, slash-and-burn capitalism has undermined trust in government. That trust has been plummeting for decades, often fueled by business-financed campaigns against “over-regulation” and government programs. Only 17% of Americans say they trust government most or all of the time, among the lowest levels in the past half-century. The social contract to adhere to basic public health measures has collapsed, former CDC Director Dr. Richard Besser has pointed out. As elected officials and public health leaders respond to the pandemic, they have to contend with public indifference at best and death threats at worst: Dr. Anthony Fauci now has round-the-clock protection. The cumulative effects of distrust in, and defunding of, government have led us unable to launch an effective response to the pandemic. The U.S. has the highest death count in the world, the worst death rate among major countries, and an economy unable to reopen effectively. This is not an isolated example. The anti-tax movement has led to an evisceration of property taxes in California and elsewhere. One result is that California public schools went from the first to the worst — and now schools in California and elsewhere don’t have the funds to make distance learning effective or to reopen in a way that’s safe. Schools are part of the basic infrastructure needed to get Americans to work. Massive public disinvestment also affects literal infrastructure: Our collapsing bridges make it literally impossible for workers to show up. Distrust of government also means we lack the care infrastructure that enables workers to show up for work, most notably paid family leave and childcare. As a result, some companies offered frontline workers $100 per shift to cover child care at the start of the pandemic, and paid leave is now financed through private employers rather than, as in virtually every other industrialized country, through the government. Is this really better for business? Profit and Pay Globalized supply chains are yet another example of slash-and-burn capitalism that looks different today than it did six months ago. Prominent members of both parties now recognize that globalized supply chains have created an economy that is hyper profitable but not resilient, to quote U.S. Senator Marco Rubio’s insightful analysis. The U.S.’s reliance on China for medical supplies from PPE to pharmaceuticals highlights again the vulnerability of an economy hyper focused on short-term profits without a thought to sustaining economic stability not just through thick, but also through thin. But the single most important example of slash-and-burn capitalism concerns wages. The current business philosophy that wages are just another cost to be cut is relatively recent. In 1914, Henry Ford — Henry Ford! — doubled wages because he recognized that workers need enough money to create demand, and he wanted his workers to be able to afford his cars. Half a century later, Kodak’s annual report listed the generous wages and benefits it paid its staff as proud accomplishments in its report to shareholders. That’s such a contrast to large, rich companies today that classify a third or more of their workforces as contractors even though they often work full time, sometimes for years. The unspoken core belief of contemporary capitalism reflects an old adage: to make the rich work harder, pay them more; to make the poor work harder, pay them less. That’s the logic behind the fact that executive salaries have ballooned from 20 times to over 300 times the average employee’s wage in recent decades, while wages for the formerly middle class have barely budged. Shareholder capitalism is really managerial-capture capitalism, as is evidenced by the company after company where CEOs’ compensation has skyrocketed during the pandemic. No wonder the 1% keeps getting richer: it’s not hard to win at rigged roulette. Slash-and-burn capitalism’s obsession with controlling labor costs has led to a sharp diminution in the sharing of productivity gains with the workforce that created them. During the decades after World War II, wages used to rise when productivity did; if that trend had continued, wages would be twice what they are today. As a result, only half of Americans born in 1980 will do better than their parents; virtually all Americans used to. The resulting pain and fury at the loss of the American dream has fueled economic populism. Many Trump voters are from the fragile or formerly middle class, deeply rooted in communities that are being left behind: voters in counties suffering economic distress trended for Trump. “We’re voting with our middle finger,” said one. The result is a dysfunctional economic populism that’s bad for business. It’s not just the trade wars, whose cost has been born chiefly by American consumers and businesses. The economic fury driving far-right populism is leading to the kind of political instability American business has rarely had to worry about. We have a president openly talking about not leaving office if he loses, and white supremacists just thwarted in a plan to kidnap the governor of Michigan. It’s time to replace slash-and-burn capitalism with sustainable capitalism that provides the economic and political infrastructure needed to support a healthy economy. Policy proposals are important, but first things first: let’s stop letting ideology distort our discussions of government and the market. The right is starry eyed about the market but coldly realistic about the limitations of government. The left is starry eyed about government but coldly realistic about the limitations of the market. As Churchill once said about democracy, it’s the worst possible system except for all the others. Both the market and the government are deeply flawed tools. But they are all we have. Let’s start a conversation about how to use them to restore the American dream of a stable government, a thriving economy, and a healthy middle class.

#### The impact is racial capitalism: the global system that is recognized by war, colonialism, slavery, genocide, fascism, and dispossession – it deploys liberalist ideals of individualism that corrupts movements and undermines any and all social change.

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This contribution to the inaugural volume of the Critical Ethnic Studies seeks to strengthen the activist hermeneutic “**racial capitalism” to respond to three conditions** with which critical ethnic studies must reckon in the present. The first is that so-called **primitive accumulation—where capital is accrued through transparently violent means (war, land-grabbing, dispossession, neo/colonialism)—has become everywhere interlinked and continuous** with accumulation through expanded reproduction, which we used to think of as requiring only “the silent compulsion of economic relations.”1 **With the top 10 percent taking 50 percent of total U.S. income** in 2012, and the top 1 percent taking a striking 95 percent of all post-Recession income gains, it has become increasingly plain that **accumulation for financial asset owning classes requires violence toward others and seeks to expropriate for capital the entire field of social provision (land, work, education, health).**2 The second condition is the **degree to which ideologies of individualism, liberalism, and democracy, shaped by and shaping market economies and capitalist rationality from their mutual inception, monopolize the terms of sociality,** despite their increasing hollowness in the face of neoliberalism’s predations. The third condition is the emergence of new horizons of activism that challenge the interpretative limits of ethnic studies in that they exceed the antimonies of political/economic activism, bust up old terms and geographies of solidarity, and are often Indigenous-led, requiring a rethinking of activist scholarship in light of the importance of Indigenous activism and critical theory. Our dominant critical understanding of the term racial capitalism stays close to the usage of its originator, Cedric Robinson, in his seminal Black Marxism: The Making of a Black Radical Tradition. 3 Robinson develops the term to correct the developmentalism and racism that led Marx and Engels to believe mistakenly that European bourgeois society would rationalize social relations. Instead, Robinson explains, the obverse occurred: “**The development, organization, and expansion of capitalist society pursued essentially racial directions, so too did social ideology. As a material force . . . racialism would inevitably permeate the social structures emergent from capitalism**. I have used the term ‘racial capitalism’ to refer . . . to the subsequent structure as a historical agency.”4 Thus the term “racial capitalism” requires its users to recognize that capitalism is racial capitalism. **Capital can only be capital when it is accumulating, and it can only accumulate by producing and moving through relations of severe inequality among human groups**—c

#### The alternative is to affirm the model of the Communist Party – only the vertical dual power organizing can provide effective accountability mechanisms to correct unproductive tendencies, educate and mobilize marginalized communities, and connect local struggles to a movement for international liberation.

**Escalante 18**  
(Alyson Escalante, you should totally read her work for non-debate reasons, Marxist-Leninist, Materialist Feminist and Anti-Imperialist activist. “PARTY ORGANIZING IN THE 21ST CENTURY” September 21st, 2018 <https://theforgenews.org/2018/09/21/party-organizing-in-the-21st-century/> rvs)

I would argue that within the base building movement, there is a move towards party organizing, but this trend has not always been explicitly theorized or forwarded within the movement. My goal in this essay is to argue that base building and dual power strategy can be best forwarded through party organizing, and that party organizing can allow this emerging movement to solidify into a powerful revolutionary socialist tendency in the United States. One of the crucial insights of the base building movement is that the current state of the left in the United States is one in which revolution is not currently possible. There exists very little popular support for socialist politics. A century of anticommunist propaganda has been extremely effective in convincing even the most oppressed and marginalized that communism has nothing to offer them. The base building emphasis on dual power responds directly to this insight. By building institutions which can meet people’s needs, we are able to concretely demonstrate that communists can offer the oppressed relief from the horrific conditions of capitalism. Base building strategy recognizes that actually doing the work to serve the people does infinitely more to create a socialist base of popular support than electing democratic socialist candidates or holding endless political education classes can ever hope to do. Dual power is about proving that we have something to offer the oppressed. The question, of course, remains: once we have built a base of popular support, what do we do next? If it turns out that establishing socialist institutions to meet people’s needs does in fact create sympathy towards the cause of communism, how can we mobilize that base? Put simply: **in order to mobilize the base which base builders hope to create, we need to have already done the work of building a communist party.** It is not enough to simply meet peoples needs. Rather, we must build the institutions of dual power in the name of communism. We must refuse covert front organizing and instead have a public face as a communist party. When we build tenants unions, serve the people programs, and other dual power projects, we must make it clear that we are organizing as communists, unified around a party, and are not content simply with establishing endless dual power organizations. We must be clear that our strategy is revolutionary and in order to make this clear we must adopt party organizing. By “party organizing” I mean an organizational strategy which adopts the party model. Such organizing focuses on building a party whose membership is formally unified around a party line determined by democratic centralist decision making. The party model creates internal methods for **holding party members accountable**,

## CP

#### CP: Member nations of the World Trade Organization should enter into a prior and binding consultation with the World Health Organization over reducing intellectual property protections for medicines.

#### WHO says yes – it supports increasing the availability of generics and limiting TRIPS

Hoen 03 [(Ellen T., researcher at the University Medical Centre at the University of Groningen, The Netherlands who has been listed as one of the 50 most influential people in intellectual property by the journal Managing Intellectual Property, PhD from the University of Groningen) “TRIPS, Pharmaceutical Patents and Access to Essential Medicines: Seattle, Doha and Beyond,” Chicago Journal of International Law, 2003] JL

However, subsequent resolutions of the World Health Assembly have strengthened the WHO’s mandate in the trade arena. In 2001, the World Health Assembly adopted two resolutions in particular that had a bearing on the debate over TRIPS [30]. The resolutions addressed:

– the need to strengthen policies to increase the availability of generic drugs;

– and the need to evaluate the impact of TRIPS on access to drugs, local manufacturing capacity, and the development of new drugs

#### Consultation displays strong leadership, authority, and cohesion among member states which are key to WHO legitimacy

Gostin et al 15 [(Lawrence O., Linda D. & Timothy J. O’Neill Professor of Global Health Law at Georgetown University, Faculty Director of the O’Neill Institute for National & Global Health Law, Director of the World Health Organization Collaborating Center on Public Health Law & Human Rights, JD from Duke University) “The Normative Authority of the World Health Organization,” Georgetown University Law Center, 5/2/2015] JL

Members want the WHO to exert leadership, harmonize disparate activities, and set priorities. Yet they resist intrusions into their sovereignty, and want to exert control. In other words, ‘everyone desires coordination, but no one wants to be coordinated.’ States often ardently defend their geostrategic interests. As the Indonesian virus-sharing episode illustrates, the WHO is pulled between power blocs, with North America and Europe (the primary funders) on one side and emerging economies such as Brazil, China, and India on the other. An inherent tension exists between richer ‘net contributor’ states and poorer ‘net recipient’ states, with the former seeking smaller WHO budgets and the latter larger budgets.

Overall, national politics drive self-interest, with states resisting externally imposed obligations for funding and action. Some political leaders express antipathy to, even distrust of, UN institutions, viewing them as bureaucratic and inefficient. In this political environment, it is unsurprising that members fail to act as shareholders. Ebola placed into stark relief the failure of the international community to increase capacities as required by the IHR. Guinea, Liberia and Sierra Leone had some of the world's weakest health systems, with little capacity to either monitor or respond to the Ebola epidemic.20 This caused enormous suffering in West Africa and placed countries throughout the region e and the world e at risk. Member states should recognize that the health of their citizens depends on strengthening others' capacity. The WHO has a central role in creating systems to facilitate and encourage such cooperation.

The WHO cannot succeed unless members act as shareholders, foregoing a measure of sovereignty for the global common good. It is in all states' interests to have a strong global health leader, safeguarding health security, building health systems, and reducing health inequalities. But that will not happen unless members fund the Organization generously, grant it authority and flexibility, and hold it accountable.

#### WHO is critical to disease prevention – it is the only international institution that can disperse information, standardize global public health, and facilitate public-private cooperation

Murtugudde 20 [(Raghu, professor of atmospheric and oceanic science at the University of Maryland, PhD in mechanical engineering from Columbia University) “Why We Need the World Health Organization Now More Than Ever,” Science, 4/19/2020] JL

WHO continues to play an indispensable role during the current COVID-19 outbreak itself. In November 2018, the US National Academies of Sciences, Engineering and Medicine organised a workshop to explore lessons from past influenza outbreaks and so develop recommendations for pandemic preparedness for 2030. The salient findings serve well to underscore the critical role of WHO for humankind.

The world’s influenza burden has only increased in the last two decades, a period in which there have also been 30 new zoonotic diseases. A warming world with increasing humidity, lost habitats and industrial livestock/poultry farming has many opportunities for pathogens to move from animals and birds to humans. Increasing global connectivity simply catalyses this process, as much as it catalyses economic growth.

WHO coordinates health research, clinical trials, drug safety, vaccine development, surveillance, virus sharing, etc. The importance of WHO’s work on immunisation across the globe, especially with HIV, can hardly be overstated. It has a rich track record of collaborating with private-sector organisations to advance research and development of health solutions and improving their access in the global south.

It discharges its duties while maintaining a dynamic equilibrium between such diverse and powerful forces as national securities, economic interests, human rights and ethics. COVID-19 has highlighted how political calculations can hamper data-sharing and mitigation efforts within and across national borders, and WHO often simply becomes a convenient political scapegoat in such situations.

International Health Regulations, a 2005 agreement between 196 countries to work together for global health security, focuses on detection, assessment and reporting of public health events, and also includes non-pharmaceutical interventions such as travel and trade restrictions. WHO coordinates and helps build capacity to implement IHR.

#### WHO diplomacy solves great power conflict

Murphy 20 [(Chris, U.S. senator from Connecticut serving on the U.S. Senate Foreign Relations Committee) “The Answer is to Empower, Not Attack, the World Health Organization,” War on the Rocks, 4/21/2020] JL

The World Health Organization is critical to stopping disease outbreaks and strengthening public health systems in developing countries, where COVID-19 is starting to appear. Yemen announced its first infection earlier this month, and other countries in Africa, Asia and the Middle East are at severe risk. Millions of refugees rely on the World Health Organization for their health care, and millions of children rely on the WHO and UNICEF to access vaccines.

The World Health Organization is not perfect, but its team of doctors and public health experts have had major successes. Their most impressive claim to fame is the eradication of smallpox – no small feat. More recently, the World Health Organization has led an effort to rid the world of two of the three strains of polio, and they are close to completing the trifecta.

These investments are not just the right thing to do; they benefit the United States. Improving health outcomes abroad provides greater political and economic stability, increasing demand for U.S. exports. And, as we are all learning now, it is in America’s national security interest for countries to effectively detect and respond to potential pandemics before they reach our shores.

As the United States looks to develop a new global system of pandemic prevention, there is absolutely no way to do that job without the World Health Organization. Uniquely, it puts traditional adversaries – like Russia and the United States, India and Pakistan, or Iran and Saudi Arabia – all around the same big table to take on global health challenges. It has relationships with the public health leaders of every nation, decades of experience in tackling viruses and diseases, and the ability to bring countries together to tackle big projects. This ability to bridge divides and work across borders cannot be torn down and recreated – not in today’s environment of major power competition – and so there is simply no way to build an effective international anti-pandemic infrastructure without the World Health Organization at the center.

#### Ought means should

Merriam Webster, No Date – Merriam Webster’s Learner’s Dictionary, “ought”, <http://www.learnersdictionary.com/definition/ought>  
ought /ˈɑːt/ verb  
Learner's definition of OUGHT [modal verb] 1 ◊ Ought is almost always followed by to and the infinitive form of a verb. The phrase ought to has the same meaning as should and is used in the same ways, but it is less common and somewhat more formal. The negative forms ought not and oughtn't are often used without a following to. — used to indicate what is expected They ought to be here by now. You ought to be able to read this book. There ought to be a gas station on the way. 2 — used to say or suggest what should be done You ought to get some rest. That leak ought to be fixed. You ought to do your homework.

#### Should means must and is immediate

Summers 94 (Justice – Oklahoma Supreme Court, “Kelsey v. Dollarsaver Food Warehouse of Durant”, 1994 OK 123, 11-8, http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13)

¶4 The legal question to be resolved by the court is whether the word "should"[13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13) in the May 18 order connotes futurity or may be deemed a ruling in praesenti.[14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn14) The answer to this query is not to be divined from rules of grammar;[15](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn15) it must be governed by the age-old practice culture of legal professionals and its immemorial language usage. To determine if the omission (from the critical May 18 entry) of the turgid phrase, "and the same hereby is", (1) makes it an in futuro ruling - i.e., an expression of what the judge will or would do at a later stage - or (2) constitutes an in in praesenti resolution of a disputed law issue, the trial judge's intent must be garnered from the four corners of the entire record.[16](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn16) [CONTINUES – TO FOOTNOTE] [13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn13) "*Should*" not only is used as a "present indicative" synonymous with *ought* but also is the past tense of "shall" with various shades of meaning not always easy to analyze. See 57 C.J. Shall § 9, Judgments § 121 (1932). O. JESPERSEN, GROWTH AND STRUCTURE OF THE ENGLISH LANGUAGE (1984); St. Louis & S.F.R. Co. v. Brown, 45 Okl. 143, 144 P. 1075, 1080-81 (1914). For a more detailed explanation, see the Partridge quotation infra note 15. Certain contexts mandate a construction of the term "should" as more than merely indicating preference or desirability. Brown, supra at 1080-81 (jury instructions stating that jurors "should" reduce the amount of damages in proportion to the amount of contributory negligence of the plaintiff was held to imply an *obligation* *and to be more than advisory*); Carrigan v. California Horse Racing Board, 60 Wash. App. 79, [802 P.2d 813](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=802&box2=P.2D&box3=813) (1990) (one of the Rules of Appellate Procedure requiring that a party "should devote a section of the brief to the request for the fee or expenses" was interpreted to mean that a party is under an *obligation* to include the requested segment); State v. Rack, 318 S.W.2d 211, 215 (Mo. 1958) ("should" would mean the same as "shall" or "must" when used in an instruction to the jury which tells the triers they "should disregard false testimony"). [14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn14) In praesenti means literally "at the present time." BLACK'S LAW DICTIONARY 792 (6th Ed. 1990). In legal parlance the phrase denotes that which in law is presently or immediately effective, as opposed to something that will or would become effective in the future *[in futurol*]. See Van Wyck v. Knevals, [106 U.S. 360](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=106&box2=U.S.&box3=360), 365, 1 S.Ct. 336, 337, 27 L.Ed. 201 (1882).

## Case

#### Biden and trump terminally thump WTO cred

Anne O. Krueger 5-24 [(Anne O. Krueger, a former World Bank chief economist and former first deputy managing director of the International Monetary Fund, is Senior Research Professor of International Economics at the Johns Hopkins University School of Advanced International Studies and Senior Fellow at the Center for International Development at Stanford University.) “Biden's Trumpy Start on Trade” <https://www.project-syndicate.org/commentary/bidens-trade-policy-is-a-lot-like-trumps-by-anne-o-krueger-2021-05>]TDI

WASHINGTON, DC – Former President Donald Trump did enormous damage to the United States’ reputation and future prospects, both domestically and internationally. Yet while President Joe Biden has set about reversing the previous administration’s legacy in many domains, he has yet to focus his attention on US trade policy. That needs to change. Trump’s trade policies were not only a disaster for US and world trade; they also have made it more difficult for the US to achieve a broader range of economic and foreign-policy goals. Reversing those policies thus should be a top priority for the new administration. After all, America’s friends and allies (particularly the European Union, the United Kingdom, Canada, Mexico, Japan, and South Korea) remain deeply shaken by Trump’s protectionist impulses. In addition to slapping tariffs on a broad range of goods, his administration forced a renegotiation of the North American Free Trade Agreement and the US-Korea Free Trade Agreement, and withdrew the US from the Trans-Pacific Partnership (TPP) to which the US had agreed. It declared a “trade war” with China, despite that country’s membership in the World Trade Organization (WTO), and with no regard for US trading partners’ own dealings with China. Taken together, these policies have done serious damage to America’s standing in the world. Leading the world toward an open multilateral trading system under the 1947 General Agreement on Tariffs and Trade (GATT, which became the WTO in 1995) was one of America’s crowning achievements after World War II. The system works precisely because members willingly commit themselves to open, rules-based trade policies. Among other things, this ensures that foreign traders have the same rights as domestic nationals when disputes between them arise, and that the principle of nondiscrimination among trading partners prevails, except in the case of preferential trading arrangements. Trade flourished under the GATT, with the US leading negotiations for multilateral tariff reductions and the removal of other trade barriers (including quantitative restrictions). In later years, developing countries witnessed the success of open markets and decided to start dismantling their own highly protectionist regimes. For most, this resulted in a remarkable acceleration of growth in output and trade. For more than a half-century, world trade grew roughly twice as fast as world GDP. This growth was far from smooth, of course. Significant slowdowns followed the oil shocks of the 1970s, the Asian financial crisis of the late 1990s, and the Great Recession a decade later. Growth in world output and trade has resumed since the 2008 global financial crisis, but not as rapidly as in the years preceding it. And China, following an overhaul of its trade policies in the 1990s and its accession to the WTO in 2001, emerged as the world’s largest trading power. In addition to reducing domestic poverty and improving living standards for its own population, China’s dramatic economic ascent was bound to raise issues with other countries. **But thanks to the WTO and its dispute-settlement mechanism, there was a multilateral forum where these issues could be addressed – that is, until Trump came along.** Although **Biden** has reasserted America’s commitment to internationalism and multilateralism, he **has moved slowly to repair the damage that Trump did to critical institutions like the WTO.** Nor has Biden reversed Trump’s withdrawal from the TPP. Now called the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, US membership in this 11-country pact would be a boon for US exporters. Currently, US companies are at a distinct disadvantage relative to their competitors in CPTPP countries, because their exports to those economies are subject to duties that do not apply to exports from members of the bloc. Biden also has not ended the trade war with China, even though that effort has utterly failed to achieve its stated objectives. While the US bilateral trade deficit with China has fallen somewhat, the deficits with Vietnam, Malaysia, and others have risen commensurately as their exports have replaced those from China. Although the Biden administration has finally agreed to a new director-general for the WTO, it has done little to reduce Trump’s tariffs, and has even announced that it will strengthen “buy American” provisions in government procurement contracts. Biden says he wants to protect American jobs, yet the Trump administration’s tariffs on imported iron and steel, which have cost a net total of around 75,000 jobs (leaving out the additional losses caused by other countries’ retaliatory tariffs), remain in place. If Biden really wants to help American workers, he should recognize that exports create good jobs, and that the export sector’s contribution to US GDP has doubled as a result of open multilateral trade. As for America’s current-account deficit, that can be addressed only by curtailing US expenditures relative to income, not through protectionism. And because the WTO procurement agreement has led other countries to open up government bidding processes for American exporters, it is doubtful that weakening it will benefit American workers; indeed, doing so may even cost jobs. China is here to stay. Though there are certainly trade issues that need to be addressed, that is best done multilaterally. The US and China have both lost as a result of the trade war. A US offer to remove the tariffs if the Chinese reciprocate and join multilateral discussions on outstanding issues could benefit both countries and the rest of the world. Strong economies make for successful countries. Efforts to protect domestic industries are a sign of weakness, not strength. If the Biden administration wants to achieve its stated goals, it will remove Trump’s protectionist measures, work multilaterally, strengthen US infrastructure, invest in workforce skills and education, and expand America’s research capabilities. **It should be obvious by now that continuing the last administration’s trade policies is a recipe for failure.**

#### Restricting IP protections undermines innovation and profit margins – turns case by precluding vaccine distribution to developing countries.

Cueni 12/10 [(Thomas, Director General of IFPMA, chair of the AMR Industry Alliance, Industry Co-Chair APEC Biopharmaceutical Working Group on Ethics, MA in politics from the London School of Economics) “The Risk in Suspending Vaccine Patent Rules,” New York Times, 12/10/2020] TDI

It is unclear how suspending patent protections would ensure fair distribution. But what is clear is that if successful, the effort would jeopardize future medical innovation, making us more vulnerable to other diseases.

Intellectual property rights, including patents, grant inventors a period of exclusivity to make and market their creations. By affording these rights to those who create intangible assets, such as musical compositions, software or drug formulas — people will invent more useful new things.

Development of a new medicine is risky and costly. Consider that scientists have spent decades — and billions of dollars — working on Alzheimer’s treatments, but still have little to show for it. The companies and investors who fund research shoulder so much risk because they have a shot at a reward. Once a patent expires, generic companies are free to produce the same product. Intellectual property rights underpin the system that gives us all new medicines, from psychiatric drugs to cancer treatments.

In trying to defend these rights, the drug industry has made mistakes in the past that have lost people’s trust. More than 22 years ago, for example, a group of drug companies sued the South African government for trying to import cheaper anti-AIDS drugs amid an epidemic. With price standing between patients and survival, the suit, which the companies eventually dropped, was a terrible misjudgment. The current situation is not parallel.

Several major drug companies, including AstraZeneca, GlaxoSmithKline and Johnson & Johnson, have pledged to offer their vaccines on a not-for-profit basis during the pandemic. Others are considering differential pricing for different countries. As of last month, four major pharmaceutical companies had already agreed to eventually produce at least three billion vaccine doses for low- and middle-income nations, according to one analysis.

In South Africa and India, pharmaceutical companies are already working with local partners to make their vaccines available. Johnson & Johnson has entered into a technology transfer partnership for its candidate vaccine with South Africa’s Aspen Pharmacare, and AstraZeneca has reached a licensing agreement with the Serum Institute of India to develop up to 1 billion doses of its vaccine for low and middle-income countries.

Companies can afford to license patents for free, or sell drugs at cost, precisely because they know that their intellectual property will be protected. That’s not a flaw in the system; it’s how the system ensures that pharmaceutical research will continue to be funded.

#### Trade is irrelevant for war

Katherine Barbieri 13, Associate Professor of If the Biden administration wants to achieve its stated goals, it will remove Trump’s protectionist measures, work multilaterally, strengthen US infrastructure, invest in workforce skills and education, and expand America’s research capabilities. Political Science at the University of South Carolina, Ph.D. in Political Science from Binghamton University, “Economic Interdependence: A Path to Peace or Source of Interstate Conflict?” Chapter 10 in Conflict, War, and Peace: An Introduction to Scientific Research, google books

How does interdependence affect war, the most intense form of conflict? Table 2 gives the empirical results. The rarity of wars makes any analysis of their causes quite difficult, for variations in interdependence will seldom result in the occurrence of war. As in the case of MIDs, the log-likelihood ratio tests for each model suggest that the inclusion of the various measures of interdependence and the control variables improves our understanding of the factors affecting the occurrence of war over that obtained from the null model. However, the individual interdependence variables, alone, are not statistically significant. This is not the case with contiguity and relative capabilities, which are both statistically significant. Again, we see that contiguous dyads are more conflict-prone and that dyads composed of states with unequal power are more pacific than those with highly equal power. Surprisingly, no evidence is provided to support the commonly held proposition that democratic states are less likely to engage in wars with other democratic states.¶ The evidence from the pre-WWII period provides support for those arguing that economic factors have little, if any, influence on affecting leaders’ decisions to engage in war, but many of the control variables are also statistically insignificant. These results should be interpreted with caution, since the sample does not contain a sufficient number wars to allow us to capture great variations across different types of relationships. Many observations of war are excluded from the sample by virtue of not having the corresponding explanatory measures. A variable would have to have an extremely strong influence on conflict—as does contiguity—to find significant results. ¶ 7. Conclusions This study provides little empirical support for the liberal proposition that trade provides a path to interstate peace. Even after controlling for the influence of contiguity, joint democracy, alliance ties, and relative capabilities, the evidence suggests that in most instances trade fails to deter conflict. Instead, extensive economic interdependence increases the likelihood that dyads engage in militarized dispute; however, it appears to have little influence on the incidence of war.

#### Trade wars don’t go to hot wars

**Dayen 17**, New Republic contributor (David “Trump Is Signaling a Trade War, but It’s Not as Disastrous as You May Think”, https://www.thenation.com/article/trump-is-signaling-a-trade-war-but-its-not-as-disastrous-as-you-may-think/)

Can Trump enact tariffs on his own? Though it would appear to contradict the Origination Clause of the Constitution, Congress has delegated that authority in enough pieces of legislation that Trump could probably raise import duties unilaterally. But what would be the practical effect? Hard-core free traders paint a picture of cataclysm. Tariffs will launch trade wars, increase prices, and destroy the economy. This is all hard-wired into the pro-globalization worldview. Thomas Friedman once famously admitted that he wrote a column supporting a free-trade agreement with Central America without knowing a thing about it: “I just knew two words: free trade,” he told an audience. Presumably the opposite is true for Friedman: He sees one word, “tariff,” and immediately screams in horror. Oddly, many of those same proponents of free trade favor a policy that looks very much like a tariff. The Republican corporate-tax revamp includes something called a border-adjustment tax, which would impose a 20 percent tax on imports while eliminating a tax on exports. Like with tariffs, the goal appears to be to encourage domestic production. In fact, the tax would be much higher than the 5-10 percent tariff being floated. (It also might be illegal under the current global trade regime.) Supporters of border adjustment, particularly economists, argue that it will end up trade neutral, because the exchange rate will fluctuate in response to the tax. In other words, though the tax would make American-made goods more attractive, the value of the dollar would increase, leveling that out. Few of these economists seem to carry over the same analysis to the effects of a tariff. I don’t understand why. There’s no reason to doubt the fact that, if Trump imposed an across-the-board tariff, the dollar would strengthen, thus nullifying the desired effect. Indeed, before Trump has even taken office, the dollar has risen to a 14-year high, in anticipation of a more protectionist stance. Incidentally, for all the one-off announcements by Trump (however factually challenged) about hundreds of jobs he has allegedly rescued here or there, this one development—the rise in the dollar—has likely caused the loss of hundreds of thousands of manufacturing jobs, under standard economic theory. Looked at this way, higher tariffs wouldn’t cause a recession (as Paul Krugman has acknowledged), but would be somewhat pointless, with currency exchanges shifting to account for any changes. Trade wars might temporarily reduce efficiency, as domestic supply chains would have to be rebuilt, but they’re unlikely to radically alter the balance of trade on their own. There are other variables here. Importers and exporters who have lived in a world of floating exchange rates for decades may be fairly nimble in adjusting to them. On the downside, Krugman explains that raising tariffs could inhibit capital flows, meaning that investors will place less money into US markets. You can see how that might reduce economic growth. But Jeff Spross points out that America currently has a problem with too much foreign money flowing in; reducing the flow could arguably make the economy more stable. Trump could also seek to prevent unlawful currency manipulation (not necessarily from China, but from other Asian nations) that artificially disadvantages US manufacturing. The real unknown here is what Trump would do with all that tariff revenue. The border adjustment tax at 20 percent is assumed to bring in $1 trillion over the 10-year budget window. So a tariff of even one-quarter or one-half that size would draw significant funds. What’s the plan for it? Would it get plowed into job-creating investments? Tax cuts for the wealthy? That’s a significant variable as well. We do know that the same pundits who confidently predicted that globalization would be a win-win policy for America repeatedly got it wrong. Those on the losing side saw their jobs shipped out and factories closed down, and weren’t given the kind of assistance needed to offset the disruption. So it’s worth being a little skeptical of the warnings coming from the same corners now. I don’t have a ton of faith in the Trump team to necessarily make their trade agenda work (especially as corporate interests will seek to co-opt the redesigned policies in ways even friendlier to their bottom line). And I think there are smarter ways to balance our trade deficit than a tariff strategy which will just run up against currency exchange rates. But the hysteria accompanying these tariffs (which wasn’t at all present when President Obama imposed his own tariffs on Chinese tires and steel) seems far beyond what little we can assume about the actual results of such a strategy.