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Plan

Plan – The member nations of the World Trade Organization ought to reduce intellectual property protections for COVID-19 medicines.

Inherency

Contention 1 is Inherency.

Rich countries are blocking a WTO patent-waiver proposal necessary to boost global production of COVID vaccines.

Meredith 21. [(Sam Meredith is a Correspondent at CNBC in London, covering international politics, energy and business news) “Rich countries are refusing to waive the rights on Covid vaccines as global cases hit record levels,” CNBC, April 22, 2021. <https://www.cnbc.com/2021/04/22/covid-rich-countries-are-refusing-to-waive-ip-rights-on-vaccines.html>]

LONDON — The U.S., Canada and U.K. are among some of the high-income countries actively blocking a patent-waiver proposal designed to boost the global production of Covid-19 vaccines. It comes as coronavirus cases worldwide surge to their highest level so far and the World Health Organization has repeatedly admonished a “shocking imbalance” in the distribution of vaccines amid the pandemic. Members of the World Trade Organization will meet virtually in Geneva, Switzerland on Thursday to hold informal talks on whether to temporarily waive intellectual property and patent rights on Covid vaccines and treatments. The landmark proposal, which was jointly submitted by India and South Africa in October, has been backed by more than 100 mostly developing countries. It aims to facilitate the manufacture of treatments locally and boost the global vaccination campaign. Six months on, the proposal continues to be stonewalled by a small number of governments — including the U.S., EU, U.K., Switzerland, Japan, Norway, Canada, Australia and Brazil. “In this Covid-19 pandemic, we are once again faced with issues of scarcity, which can be addressed through diversification of manufacturing and supply capacity and ensuring the temporary waiver of relevant intellectual property,” Dr. Maria Guevara, international medical secretary at Medecins Sans Frontieres, said in a statement on Wednesday. “It is about saving lives at the end, not protecting systems.” The urgency and importance of waiving certain intellectual property rights amid the pandemic have been underscored by the WHO, health experts, civil society groups, trade unions, former world leaders, international medical charities, Nobel laureates and human rights organizations. Why does it matter? The waiver, if adopted at the General Council, the WTO’s highest-level decision-making body, could help countries around the world overcome legal barriers preventing them from producing their own Covid vaccines and treatments. Advocates of the proposal have conceded the waiver is not a “silver bullet,” but argue that removing barriers toward the development, production and approval of vaccines is vital in the fight to prevent, treat and contain the coronavirus.

The pandemic is raging through developing economies and inflicting loss on a horrific scale.

Lindsey 21. [(Brink Lindsey) “Why intellectual property and pandemics don’t mix,” Brookings Institution, June 3, 2021. <https://www.brookings.edu/blog/up-front/2021/06/03/why-intellectual-property-and-pandemics-dont-mix/>]

Although focusing on these immediate constraints is vital, we cannot confine our attention to the short term. First of all, the COVID-19 pandemic is far from over. Although Americans can now see the light at the end of the tunnel thanks to the rapid rollout of vaccines, most of the world isn’t so lucky. The virus is currently raging in India and throughout South America, overwhelming health care systems and inflicting suffering and loss on a horrific scale. And consider the fact that Australia, which has been successful in suppressing the virus, recently announced it was sticking to plans to keep its borders closed until mid-2022. Criticisms of the TRIPS waiver that

focus only on the next few months are **therefore short-sighted**: this pandemic could well **drag on long enough for elimination of patent restrictions to enable new vaccine producers to make a positive difference.**

WTO Credibility

Contention 2 is WTO Credibility.

The new head of the WTO is on track to push for reform and an increased role in the international arena, but is hindered now due to lack of vaccine agreement.

Baschuk 4-27. [(Bryce Baschuk is a Bloomberg Reporter) "WTO Chief Pursues a 'Hectic' Agenda to Fix World Trade's Referee," Bloomberg, April 27, 2021. <https://www.bloomberg.com/news/articles/2021-04-27/wto-chief-pursues-a-hectic-agenda-to-fix-world-trade-s-referee>]

The head of the World Trade Organization raised an alarm about the credibility of the multilateral trading system, urging leaders to act fast to bolster the global economy with **steps like fairer vaccine distribution and cooperate to resolve longer-term problems like overfishing.** During her first two months, **WTO Director-General Ngozi Okonjo-Iweala has met with trade ministers around the globe to communicate** a message that **the WTO is important, it needs to be reformed and it needs to deliver results.** So far, she says the **reception** from world leaders **has been positive,** but **quickly translating that goodwill into substantive outcomes** during a global pandemic **is** just as **daunting** as she anticipated. "The word I would use to describe it is absolutely hectic," Okonjo-Iweala said in a phone interview on Tuesday when asked about her first few months in the job. "The challenges we thought were there are there and getting an agreement is not as easy because of longstanding ways of negotiating business positions." Read More: Arcane WTO Pact Moves to Center of Vaccine Debate: Supply Lines **Countries need to move past the notion that one country's gain in international commerce is another's loss,** she said. **"We need to break out of the zero-sum deadlock,"** Okonjo-Iweala said. **"We need to remind the countries and members that the WTO is here to deliver for people. We can't take 20 years to negotiate something,"** Okonjo-Iweala said **her top priority is to use trade to alleviate the pandemic** and said her recent meeting with trade ministers and vaccine manufacturers provided a positive step in the right direction. 'More Pragmatism' "That meeting yielded quite a lot," she said. "I see more pragmatism on both sides." **An important component of the WTO's trade and health agenda is a proposal** from India and South Africa that **seeks to temporarily waive enforcement of** the WTO's rules governing **intellectual property for vaccines** and other essential medical products. Read More: U.S. Trade Chief Meets Pfizer, AstraZeneca About Vaccine Supply As of this week there are fresh signals that the Biden administration, which currently opposes a waiver to the WTO agreement on Trade-Related Aspects of Intellectual Property Rights, wants vaccine manufacturers like Pfizer Inc. and AstraZeneca Plc to help ramp up U.S. pandemic assistance to the rest of the world. **"There is movement,"** Okonjo-Iweala said. **"Are we there yet? No,** but there is a little bit of change in the air among members. I think hopefully we will be able to come to some sort of a framework for the WTO ministers to bless." **"We don't have time," she added. "People are dying."** Okonjo-Iweala said this month's vaccine meeting also revealed areas where the developing world can increase its capacity to produce more doses rather than waiting for rich countries to send them their excess supplies. She said various emerging markets such as India, Pakistan, Bangladesh, Senegal, Indonesia and Egypt already have some capacity to begin producing vaccines for people living in developing economies.

Patent waiver is necessary to revitalize WTO's credibility as an international dispute mechanism – creates momentum for further reform.

Meyer 6-18-21. [(David Meyer is the Editor of CEO Daily and a senior writer on Fortune's European team. Author of the digital rights primer, Control Shift: How Technology Affects You and Your Rights. "The WTO's survival hinges on the COVID-19 vaccine patent debate, waiver advocates warn," Fortune, June 18, 2021. <https://fortune.com/2021/06/18/wto-covid-vaccines-patents-waiver-south-africa-trips/>]

The World Trade Organization knows all about crises. Former U.S. President Donald Trump threw a wrench into its core function of resolving trade disputes—a blocker that President Joe Biden has not yet removed—and **there is widespread dissatisfaction over the fairness of the global trade rulebook.** **The 164-country organization,** under the fresh leadership of Nigeria's Ngozi Okonjo-Iweala, **has a lot to fix.** However, **one crisis is more pressing than the others: the battle over COVID-19 vaccines and whether the protection** of their patents and other intellectual property should be temporarily lifted to boost production and end the pandemic sooner rather than later. According to some of those pushing for the waiver—which was originally proposed last year by India and

South Africa—**the WTO's future rests on what happens next.** "The credibility of the WTO will depend on its ability to find a meaningful outcome on this issue" that truly ramps-up and diversifies production," says Xolelwa Mlumbi-Peter, South Africa's ambassador to the WTO. "Final nail in the coffin" The Geneva-based **WTO isn't an organization with power**, as such—it's a framework within which countries make big decisions about trade, generally by consensus. **It's supposed to be** the forum **where disputes get settled**, because all its members have signed up to the same rules. And one of its most important rulebooks is the Agreement on Trade-Related Aspects of Intellectual Property Rights, or TRIPS, which sprang to life alongside the WTO in 1995. The WTO's **founding agreement allows for rules to be waived in exceptional circumstances**, and indeed this has happened before: its members agreed in 2003 to waive TRIPS obligations that were blocking the importation of cheap, generic drugs into developing countries that lack manufacturing capacity. (That waiver was effectively made permanent in 2017.) **Consensus is the key here.** Although the failure to reach consensus on a waiver could be overcome with a 75% supermajority vote by the WTO's membership, this would be an unprecedented and seismic event. **In the case of the COVID-19 vaccine IP waiver, it would mean standing up to the European Union**, and Germany in particular, as well as countries such as Canada and the U.K.—the U.S. recently flipped from opposing the idea of a waiver to supporting it, as did France. **It's a dispute between countries, but the result will be on the WTO as a whole**, say waiver advocates. "If, in the face of one of humanity's greatest challenges in a century, **the WTO functionally becomes an obstacle** as in contrast to part of the solution, **I think it could be the final nail in the coffin" for the organization**, says Lori Wallach, the founder of Public Citizen's Global Trade Watch, a U.S. campaigning group that focuses on the WTO and trade agreements. "If the TRIPS waiver is successful, and people see the WTO as being part of the solution—saving lives and livelihoods—**it could create goodwill and momentum to address what are still daunting structural problems.**" Those problems are legion. Reform needs Top of the list is the WTO's Appellate Body, which hears appeals in members' trade disputes. It's a pivotal part of the international trade system, but Trump—incensed at decisions taken against the U.S.—blocked appointments to its seven-strong panel as judges retired. The body became completely paralyzed at the end of 2019, when two judges' terms ended and the panel no longer had the three-judge quorum it needs to rule on appeals. Anyone who hoped the advent of the Biden administration would change matters was disappointed earlier this year when the U.S. rejected a European proposal to fill the vacancies. "The United States continues to have systemic concerns with the appellate body," it said. "As members know, the United States has raised and explained its systemic concerns for more than 16 years and across multiple U.S. administrations." At her confirmation hearing in February, current U.S. Trade Representative Katherine Tai reiterated those concerns—she said the appellate body had "overstepped its authority and erred in interpreting WTO agreements in a number of cases, to the detriment of the United States and other WTO members," and accused it of dragging its heels in settling disputes. "Reforms are needed to ensure that the underlying causes of such problems do not resurface," Tai said. "While the U.S. [has] been engaging [with the WTO] it hasn't indicated it would move quickly on allowing appointments to the Appellate Body," says Bryan Mercurio, an economic-law professor at the Chinese University of Hong Kong, who opposes the vaccine waiver. "This is not a good sign. In terms of WTO governance, it's a much more important step than supporting negotiations on an [intellectual property] waiver." It's not just the U.S. that wants to see reform at the WTO. In a major policy document published in February, the EU said negotiations had failed to modernize the organization's rules, the dispute-resolution system was broken, the monitoring of countries' trade policies was ineffective, and—crucially—"the trade relationship between the U.S. and China, two of the three largest WTO members, is currently largely managed outside WTO disciplines." China is one of the key problems here. It became a WTO member in 2001 but, although this entailed significant liberalization of the Chinese economy, it did not become a full market economy. As the European Commission put it in February: "The level at which China has opened its markets does not correspond to its weight in the global economy, and the state continues to exert a decisive influence on China's economic environment with consequent competitive distortions that cannot be sufficiently addressed by current WTO rules." "China is operating from what it sees as a position of strength, so it will not be bullied into agreeing to changes which it sees as not in its interests," says Mercurio. China is at loggerheads with the U.S., the EU and others over numerous trade-related issues. Its rivals don't like its policy of demanding that Chinese citizens' data is stored on Chinese soil, nor do they approve of how foreign investors often have to partner with Chinese firms to access the country's market, in a way that leads to the transfer of technological knowhow. Mercurio thinks China may agree to reforms on some of these issues, particularly regarding subsidies, but "only if it is offered something in return." **All these problems won't go away if the WTO manages to come up with a TRIPS waiver** for COVID-19 vaccines and medical supplies, Wallach concedes. "But," she adds, **"the will and the good faith to tackle these challenges is increased enormously if the WTO has the experience of being part of the solution, not just an obstacle."** Wallach points to a statement released earlier this month by Asia Pacific Economic Cooperation (APEC) trade ministers, which called for urgent discussions on the waiver. **The WTO must demonstrate that global trade rules can help address the human catastrophe** of the COVID-19 pandemic and facilitate the recovery," the statement read in its section about WTO reform. Okonjo-Iweala's role The **WTO's new director general**, whose route to the top was unblocked in early 2021 with the demise of the Trump administration, **is certainly keen to fix the problems** that contributed to the early departure of her predecessor, Brazil's Robert Azevedo. **We must act now** to get all our ambassadors to the table to negotiate a text" on the issue of an IP waiver for COVID vaccines, Ngozi Okonjo-Iweala, director general of the World Trade Organization, has said. Dursun Aydemir—Anadolu/Bloomberg/Getty Images Earlier this week, when the U.S. and EU agreed a five-year ceasefire in a long-running dispute over Boeing and Airbus aircraft subsidies, Okonjo-Iweala tweeted: **"With political will, we can solve even the most intractable problems."** However, Mercurio is skeptical about her stewardship having much of an effect on the WTO's reform process. "Upon taking [over she] stated it was time for delegations to speak to each other and not simply past each other, but at the recent General Council meeting delegations simply read prepared statements in what some have described as the worst meeting ever," he says. "On the other hand, **Ngozi is very much someone who will actively seek solutions to problems**, and in this way different to her predecessor. If the role of mediator is welcomed, **she could have an impact not in starting discussions but in getting deals over the finish line.**"

No alt causes – how the WTO acts now with Covid will shape its role in the international economy for decades to come.

Evenett and Baldwin 20. [(Simon J. Evenett is Professor of International Trade and Economic Development at the University of St. Gallen, Switzerland, and Co-Director of the CEPR Programme in

International Trade and Regional Economics. Richard E. Baldwin is a professor of international economics at the Graduate Institute of International and Development Studies in Geneva. “Revitalising multilateral trade cooperation: Why? Why Now? And How?” November 10, 2020.

<https://voxeu.org/content/revitalising-multilateralism-pragmatic-ideas-new-wto-director-general>]

Purposeful, pragmatic steps towards noble goals Archbishop Desmond Tutu, that tireless campaigner against Apartheid, once remarked that “there is only one way to eat an elephant: one bite at a time”. **After a decade of drift and backsliding**, the task of revitalising multilateral trade cooperation may seem daunting. It may seem even more so after the disruption of the COVID-19 pandemic and the attendant slump in world trade. **Yet, in the same emergency lies the seeds of revival – especially, if trade diplomats can demonstrate the relevance of the WTO to national governments fighting this pandemic – ideally through an accord that eases the cross-border shipment of needed medical goods and medicines.** Step by pragmatic step, the **WTO can regain its centrality in the world trading system.** Ultimately, the pandemic affords the opportunity to **reframe discussions on multilateral trade cooperation away from the stalemate, frustration of recent years between governments**, and the Uruguay Round mindset that ran into diminishing returns years ago. Rather, discussions between **governments need to draw lessons from the second global economic shock** in 15 years so as **to rebuild a system of global trade arrangements capable of better tackling systemic crises** and, more importantly, **better able to contribute to the growing number of first-order challenges facing societies in the 21st century.** Doing so will require revisiting the very purpose of the WTO.

Specifically, action now over Covid creates goodwill to establish global trade as a norm and preserve the relevance of the trading system post-Covid.

González 20. [(Anabel Gonzalez is a nonresident senior fellow at the Peterson Institute and former Minister of Foreign Trade of Costa Rica “Revitalising multilateral trade cooperation: Why? Why Now? And How?” November 10, 2020. <https://voxeu.org/content/revitalising-multilateralism-pragmatic-ideas-new-wto-director-general>]

EXTRAORDINARY TIMES DEMAND EXTRAORDINARY ACTION As of 2 November 2020, there are 46.9 million COVID-19 cases across all regions, with the number of deaths exceeding 1.2 million, and rising.² The economic and social impacts of the pandemic and its containment measures are not less daunting. Global growth is estimated at -4.9 in 2020, with over 95% of countries projected to have negative per capita income growth (IMF 2020). Trade volumes are expected to decrease by between 13% and 32% from last year,³ while foreign direct investment flows could plunge by up to 40% (UNCTAD 2020). It is estimated that the equivalent of 555 million jobs have been lost in the first half of this year (ILO 2020), which in turn could push up to 100 million more people into extreme poverty and would almost double the number of persons suffering from acute hunger (FAO 2020). While there is some evidence that goods trade may be rebounding and that the worst-case trade scenario projected in April could be averted (CPB 2020, WTO 2020a), the **recovery** from the deepest global recession since World War II **will depend on the sustained and effective containment of the virus** and the quality of government policies. The World Bank/IMF Development Committee warned that the pandemic has the potential to erase development gains for many countries (World Bank 2020a). **Some consequences may also be long-lasting**, such as lower investment, erosion of human capital, and a retreat from global trade and supply linkages (World Bank 2020b). It is no understatement to say these are extraordinary times. In many countries, governments are providing significant levels of fiscal support to try to stabilise their economies, sustain companies and minimise the impact on workers; in many others, limited fiscal space and informality constraint governments’ capacity to mitigate the damage. For advanced and developing economies alike, trade is a powerful, cost-effective tool to alleviate the devastating effects of COVID-19 on the health and economic fronts. **And yet, protectionism is gaining an upper hand, deepening some of pre-pandemic confrontations** that were already threatening the global economy. **The short-term response** to the virus and longer-term growth prospects **depend on strong multilateral cooperation** to scale back obstacles to trade and investment, increase business certainty and leverage opportunities which the pandemic has accelerated in areas like the digital economy. **It is also needed to preserve stable and coordinated international relations to avoid that heavy threats implicit in the pandemic could result in catastrophic disorders or conflicts** (Jean 2020). **But it will not happen automatically. Unless governments accelerate their efforts to collaborate, growing protectionism and increased distortions to global value chains (GVCs) risk being a by-product of the virus**, at the same time further exacerbating its negative implications. **This demands extraordinary action.** This chapter addresses the question of what role for trade ministers at the WTO in times of crises with a view to activating global cooperation to overcome COVID-19. In addition to the introductory section, the second section explores the need to reactivate the WTO to underpin collaboration among governments, the third section argues that trade ministers should call the shots during crisis, the fourth section suggests eight actions for

ministers to rein in protectionism and mitigate further damage, the fifth section refers to the mechanics on how and when to do it, and a final section offers concluding remarks.

REACTIVATE THE WTO Trade needs to be part of the response to COVID-19 and its upshots, and countries cannot afford the WTO, hobbled as it has been lately, to muddle through. **Moreover, as the world confronts more frequent and severe profound shocks such as financial crises, terrorism, extreme weather and pandemics** (McKinsey Global Institute 2020), **the WTO needs to step up its role during systemic crises. The fact that the organisation has been faltering, that there is a leadership vacuum and that distrust runs high among major traders will not make it any easier.** Exacerbated tensions related to the pandemic can only add to the feeling that WTO rules have been conceived for a very different context, increasing the risk of a loss of legitimacy (Jean 2020). **This is not about a major reset of the WTO. It is about (re)activating the organisation to serve its members as they combat the devastating impact of the pandemic and the global recession.** The WTO needs broader reform, in particular to address structural changes

in the global economy. While extremely important, this discussion should not hamper the ability of the WTO to deliver at times of systemic crisis. Moreover, **should the WTO – or more accurately, its members – demonstrate they can actually rise to the occasion in the context of COVID-19, they will**

also contribute to increasing trust levels on the ability of the organisation to produce results. The starting point is a shift in mindset: governments need to understand that international trade is not a problem in the crisis, but rather a core element of the solution (Baldwin and Evenett 2020). Take the shortages of medical supplies. There are three methods of assuring supply: stockpiling, investments in manufacturing capacity and trade. Of these options, relying on international trade is the most efficient and economic choice, provided the WTO can help assure security of this method of supply (Wolff 2020a). To be sure, many nations have taken unilateral steps to facilitate trade, especially in medical supplies and medicines. The Global Trade Alert reports that while 91 jurisdictions have adopted a total of 202 export controls on these goods since the beginning of 2020, 106 jurisdictions have executed 229 import policy reforms on these goods over the same period.⁴ After initial border closures, some neighbouring countries are beginning to facilitate the cross-border flow of goods. At the regional level and among subsets of countries, governments have issued different statements to keep trade lanes open and supply chains moving (see Table A1 in the Annex). After a tepid declaration from G20 leaders, trade ministers reaffirmed their determination to cooperate and coordinate to mitigate the impact of the COVID-19 pandemic on trade and investment and to lay a solid foundation for a global economic recovery. They also endorsed a set of short-term collective actions on trade regulation, trade facilitation, transparency, operation of logistics networks and support for small enterprises, and a group of longer-term actions on WTO reform, GVC resilience and investment; monitoring of implementation was left to senior officials (G20 2020). **These actions are positive and reflect the political will of governments to**

collaborate to some extent – even if they have not fully countered the flurry of barriers and restrictions surrounding trade in critical medical gear. They are no substitute for trade cooperation at the global level, either. In the case of medical products, for example, the EU, the US and China account for almost three-quarters of world exports (WTO 2020b);

cooperation initiatives that do not include these members would fall short on impact. **The venue for cooperation should be global and open to**

all, even if not all 164 WTO members opt to engage in all initiatives. TRADE MINISTERS SHOULD CALL THE SHOTS DURING CRISES Challenges notwithstanding, **governments need to act now to empower the WTO to play an active part in coordinating the response to the pandemic.** The WTO is more than an organisation immersed in myriad drama on the shores of Lake Geneva; it is a solid framework for global trade cooperation. **It is in countries' interest to preserve the relevance of the WTO; its role can be critical in helping members help themselves.** In a member-driven organisation such as the WTO, the role of the Director-General and the Secretariat is important and can and should be enhanced, for example with greater power of initiative and strengthened monitoring and analytics capabilities. The WTO dedicated page on the pandemic is a step in the right direction.⁵ But the ultimate

responsibility to provide direction and act rests with governments. **The WTO is nothing more and nothing less than the collectivity of its members** (Steger 2020), a point that is frequently forgotten in the public discourse. **Without strong leadership, frequent engagement and serious interest among members in addressing its challenges, the WTO itself cannot deliver results** (Cutler 2020). Paraphrasing VanGrasstek (2013), the multilateral trading system receives its inspiration from economists and is shaped primarily by lawyers, but it can only operate within the limits set by politicians.

Post Covid WTO legitimacy and credibility are necessary to prevent a downward spiral of protectionism.

Solís 20. [(Mireya Solís is director of the Center for East Asia Policy Studies, Philip Knight Chair in Japan Studies, and a senior fellow in the Foreign Policy program at Brookings. “The post COVID-19 world: Economic nationalism triumphant?” July 10, 2020. <https://www.brookings.edu/blog/order-from-chaos/2020/07/10/the-post-covid-19-world-economic-nationalism-triumphant/>]

The damage caused by the worst global health crisis in a century is vast. The new coronavirus has traveled far and fast, infecting more than 8.7 million people and killing more than 460,000. One after another, economies have gone into lockdown to slow down the spread of the disease. The combined supply and demand shocks have ravaged the world economy with the most severe downturn since the Great Depression; **anticipated drops to international trade and investment flows of 30% and 40%,** respectively; and unemployment spikes in many countries. The pandemic has cost lives and livelihoods and has erased the chances of returning to the status quo ante, but it has also brought little clarity regarding what kind of international order it will usher in. **Is the future one of deglobalization, decoupling, and reshoring of economic activity? The pandemic hit an already wounded multilateral trading system.** The chances that

the World Trade Organization (WTO) can deliver a multilateral round of trade negotiations to slash tariffs across the board and update the trade and investment rulebook are nil. But the WTO has also lost its central role as arbiter of trade disputes among its members. In December 2019, the Appellate Body ceased to function due to the U.S. block of new appointments, citing judicial overreach. **At a time of**

rising protectionism, the erosion of a rules-based mechanism to adjudicate disputes bodes ill.

Longstanding challenges to the WTO have been exacerbated by an abdication of leadership from the great powers to ensure its survival.

China has been the godchild of globalization, leveraging its accession to the WTO to become workshop for the world and a huge domestic market coveted by foreign firms. But China lost its appetite for economic reform, reinvesting on a state capitalism model that imposes heavy costs on other nations. Unchecked subsidies and privileges awarded to its state-owned enterprises, insufficient protection of intellectual property, foreign investment restrictions, forced technology transfers, and cyber protectionism all make the Chinese government's self-proclamation as champion of global free trade ring hollow. The Trump administration judges the WTO incapable of tackling the China challenge, but instead of creating coalitions of like-minded countries to bring about effective multilateral trade governance, it appears determined to further harm cripple the international organization. It has offered no blueprint to fix the dispute settlement mechanism, has abused the national security exemption to raise tariffs against allies, and is gearing up for its most fundamental assault to date on the WTO: a tariff reset through which the U.S. may unilaterally abandon its commitments on bound tariffs and apply larger duties to force other countries to open their markets.

Trade spats as other countries retaliate in kind is a more likely result.

Tariff wars and the battle for technology supremacy have come to define U.S.-China great power competition. After a grueling trade conflict, the United States and China reached a limited trade agreement in January 2020. The deal marked a pause in the tariff war and addressed some non-tariff barriers on foreign direct investment and intellectual property; but it left intact the core of Chinese industrial policy (public subsidies and state-owned enterprises) and retained U.S. duties on \$360 billion worth of Chinese products. China's massive purchase commitments (\$200 billion) were quickly rendered unattainable by the severe economic downturn in China due to COVID-19. In fighting for the new economic order, setting standards on cutting-edge technologies will be at the forefront. China is using all the levers of industrial policy to gain technological primacy in areas like AI and quantum computing. Telecom and the battle over 5G offer a preview of quarrels to come. Deeply concerned with the cybersecurity risks that Chinese telecom giants like Huawei pose, the U.S. government placed the company on its Entity List, banning American exports without a license. It has since tightened the restrictions by barring foreign companies from supplying Huawei with products manufactured with American equipment and technology. National security concerns are increasingly encroaching on existing webs of economic interdependence.

Wary of China's acquisition of critical technology, countries like the United States, Australia, and Japan have tightened their screening of foreign direct investment.

The pandemic has only exacerbated concerns that weakened companies in strategic sectors are at risk of foreign takeover. COVID-19's impact on the international trading system is twofold. It has reinforced existing trends such as the deceleration and now drop in the volume of international trade, the rise of economic security as governments expand their

toolkit to restrict trade and investment flows, and it has laid bare the fallout in U.S.-China relations. But the pandemic also brought new challenges that exposed the extent to which trade cooperation is in short supply. Export protectionism has risen in prominence with national restrictions on shipments of essential medical supplies and personal protective equipment. The WTO allows for such curbs for public health purposes – provided the measures are temporary and transparent. Few countries, however, have bothered to comply with their notification commitments.

The blow comes at a time when the WTO is adrift with the decision of Director General Roberto Azevedo to step down early, opening the search for new leadership in a climate of divisiveness. Graph detailing the number of countries that imposed export restrictions on various categories of medical supplies and devices in response to the coronavirus pandemic.

Are we on the eve of a renationalized world economy? That is the aspiration of several American and European public officials who fault extended global supply chains and overdependence on China for the current mishaps in tackling the pandemic. But the view that economic nationalism and reshoring of manufacturing is a fail-safe path to security and prosperity is wrong. For one, it skirts the responsibility of governments to properly stockpile essential medical supplies.

Furthermore, the export curbs will be counterproductive, eliminating incentives for producers to expand capacity and increasing the cost of much needed medicines and medical devices. If the recent lockdowns have taught us anything, it is that exclusive reliance on the domestic market is too risky. Diversification of supply, redundancies in the manufacturing chain, and stockpiling programs are better alternatives. In this endeavor, global supply chains are part of the solution, not the problem. COVID-19 will not produce an exodus of foreign companies from the Chinese market. Recent surveys of American companies with operations in China show that most firms intend to stay put. A February survey of Japanese companies conducted by Tokyo Shoko Research shows that only a fraction (4%) are considering exit from China. Therefore, the Japanese government's \$2.2 billion fund to restructure supply chains should be understood as risk management, not decoupling. When international companies map out their business strategies, they must factor in heightened risks – protectionism, national security controls, and economic lockdowns. **Hence, efforts by middle powers to offer an interim arbitration mechanism**

at the WTO to handle trade disputes and to commit to maintaining open supply chains in essential medical goods **are the right antidote to**

rising economic nationalism. As a staunch supporter of rules-based trade and with its decision to forego export protectionism in the current crisis, Japan has much to contribute to these efforts.

Trade solves great power competition – regionalism causes militarized crises.

Lake 18. [(David Lake is a Professor of Social Sciences and Distinguished Professor of Political Science at the University of California, San Diego. "Economic Openness and Great Power Competition: Lessons for China and the United States," April 30, 2018.

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3171196/]

I develop two central arguments. First, **historically, great power competition has been driven primarily by exclusion or fears of exclusion from each power's international economic zone,** including its domestic market. Great powers in the past have often used their international influence to build zones in which subordinate polities – whether these be colonies or simply states within a sphere of influence – are integrated into their economies. These economic zones, in turn, are typically biased in favor of the great power's firms and investors, with the effect of excluding (in whole or part) the economic agents of other great powers. These other great powers, in response, are then **compelled to develop or expand their own exclusive economic zones. The "race" for economic privilege can quickly divide the world up into economic blocs.** Like the security dilemma, **great powers need not actually exclude one another from their zones; the fear of exclusion alone is enough to ignite the process of division.** The race for privilege then draws great powers into over-expanding into unprofitable regions and, more important, **militarized competition. Economic and military competition are thus linked, with the former usually driving the latter.** The most significant military crises have, historically, **been over where to draw the boundaries between economic zones and subsequent challenges to those boundaries. Economic closure and fear of closure have been consistent sources of great power conflict** in the past – and possibly will be in the future. The major exception to this trend was the peaceful transfer of dominance in Latin America from Britain to the United States in the late nineteenth century. This suggests that economic closure and great power competition is not inevitable, but a choice of the great powers themselves. Second, this international competition is driven, in turn, by domestic, rent-seeking groups and their economic interests. In all countries, scarce factors of production, import competing sectors, and domestically-oriented firms have concentrated and intense preferences for market restricting policies, including tariffs and the formation of exclusive economic zones. Consumers and free trade-oriented groups have diffuse preferences for market enhancing policies, and thus tend to lose at the ballot box and in the making of national policy. This inequality in preference intensity does not mean protectionists always win: after 1934, the United States insulated itself by shifting authority to the executive and negotiating reductions through broad, multi-product international agreements.⁸ Yet, as the recent return to economic nationalism of the Trump administration suggests, protectionism often wins out. Rent-seeking is a central tendency, not an inevitable success. Contemporary great power relations are at a critical juncture. As China's influence expands, the role of special economic interests in China is especially worrisome. In pursuit of stability, political support, or private gains, the government will always be tempted to create economic zones that favor its nationals. In this way, China will be no different than the majority of great powers before it. But, given the expansive role of the state in the Chinese economy, especially its backing of outward foreign investments by its state-owned enterprises (SOEs), and the close ties between business elites and its authoritarian political leaders, however, it will be even harder for China to resist biasing any future economic zone to benefit its own firms. Although China has gained greatly from economic openness, its domestic political system will be prone to rent-seeking demands by important constituents in areas of future influence. Critically, the United States is also moving toward economic closure with the election of President Trump on a platform of economic nationalism. Demands for protection against Chinese goods have been growing over time.⁹ The "China shock" that followed Beijing's joining the World Trade Organization was a huge disruption to the international division of labor, U.S. comparative advantage, and especially U.S. industry.¹⁰ The Trans-Pacific Partnership, though now defunct, was "marketed" by President Barack Obama as a means of "containing" China, both economically and militarily, but was opposed by virtually all of the candidates in the 2016 presidential election for its trade-enhancing potential. President Trump has already signaled a much more hostile and protectionist stance toward China – as well as calling for the repeal of NAFTA and even questioning the utility of the European Union. Not only has he imposed tariffs on washing machines, solar panels, steel and aluminum, dangerously declaring the latter two issues of national security, he is making exceptions on these tariffs for friends and allies.¹¹ Implicitly targeting China, these protectionist moves by the administration risk creating preferential trading blocs not seen since the 1930s. He has also now proposed punitive tariffs on over \$60 billions of imports from China into the United States.¹² Acknowledging his inconsistencies on many policy issues, Trump's economic nationalism has remained the core of his political agenda. The threat to the liberal international economy is not only that China might seek an economic bloc in the future, but that the United States itself is turning more exclusionary. For each great power to fear that the other might seek to exclude it from its economic zone is not unreasonable. **If so, great power competition could break out in the twenty-first century not because of bipolarity or any inevitable tendency toward conflict, but because neither great power can control its own protectionist forces** nor signal to the other that it would not exclude it from its economic zone. **The British-U.S. case, again, suggests that exclusion and competition are not inevitable, but the current danger of economic closure is real and increasing.**

This article is synthetic in its theory and merely suggestive in its use of historical evidence. The theory aims to integrate current work on political economy and national security, not to develop a completely original take on this relationship. In turn, rather than testing the theory in any rigorous sense or delving into particular cases to show the theoretical mechanisms at work, so to speak, it surveys selected historical episodes to illustrate central tendencies. It is the recurring pattern across multiple cases that suggests why we should worry today. The remainder of this essay is divided in three primary sections. Section I briefly outlines the analytics of economic openness and great power competition. Section II focuses on historical instances of great power competition, highlighting the role of economic openness as a central cleavage in international politics. Section III examines contemporary policies in and between China and the United States. The conclusion suggests ways that the potential for conflict may be mitigated. The Open Economy Politics of Great Power Competition All states have a tendency towards protectionism at home and exclusive economic zones abroad. A tendency, though, is not an inevitability. The pursuit of protection and economic zones by domestic interests is conditioned by the political coalition in power at any given time and institutions that aggregate and bias the articulation of social groups.¹³ The tendency is also influenced, however, by the actions of other countries.

Protectionism can sour great power relations, but it is the desire for exclusive economic zones that drives great power competition and, given the possibility of coercion, influences grand strategy. Thus, the theory sketched here integrates insights from international political economy (see below), the literature on domestic politics and grand strategy,¹⁴ and systemic theories of international relations.¹⁵

Independently, WTO cred solves nuclear war – allows an off-track for nuclear weapons.

Hamann 09. [(Georgia Hamann is a J.D. Candidate, Vanderbilt University Law School, “Replacing Slingshots with Swords: Implications of the Antigua-Gambling 22.6 Panel Report for Developing Countries and the World Trading System,” 2009.]

Voluntary compliance with WTO rules and procedures is of the utmost importance **to the international trading system**.¹⁰⁰ Given the increasingly globalized market, the coming years will see an increase in the importance of the WTO **as a cohesive force and arbiter of disputes that likely will become more frequent and injurious.**¹⁰¹ The work of the WTO cannot be overstated in a nuclear-armed world, as the body continues to promote respect and even amity among nations with opposing philosophical goals or modes of governance.¹⁰² Demagogues in the United States may decry the rise of China as a geopolitical threat,¹⁰³ and extremists in Russia may play dangerous games of brinksmanship with other great powers, **but trade keeps politicians' fingers off "the button."**¹⁰⁴ The WTO offers an astounding rate of compliance for an organization with no standing army and no real power to enforce its decisions, suggesting that governments recognize the value of maintaining the international construct of the WTO.¹⁰⁵ **In order to promote voluntary compliance, the WTO must maintain a high level of credibility.**¹⁰⁶ Nations must perceive the WTO as the most reasonable option for dispute resolution or fear that the WTO wields enough influence to enforce sanctions.¹⁰⁷ The arbitrators charged with performing the substantive work of the WTO by negotiating, compromising, and issuing judgments are keenly aware of the responsibility they have to uphold the organization's credibility.¹⁰⁸

Developing Economies

Contention 3 is Developing Economies.

The third wave of the pandemic is fueling instability in South Africa.

Egwu 21. [(Patrick Egwu is a Nigerian freelance journalist currently based in Johannesburg, where he is an Open Society Foundations fellow at the University of the Witwatersrand) “South Africa’s Twin Crises Are Feeding Each Other,” Foreign Policy, July 20, 2021. <https://foreignpolicy.com/2021/07/20/south-africa-covid-19-struggles-deadly-third-wave-zuma-violence/>]

South Africa is coping with two crises at once—a political storm caused by the imprisonment of former President Jacob Zuma, whose followers have caused chaos on the streets, and a deadly new wave of COVID-19 that’s hospitalizing thousands of people a day. On July 3, South Africa hit a record 26,000 cases of COVID-19, one of the highest new daily totals reported since the pandemic started over a year ago. The country has been battling a **deadly third wave of the pandemic**, following previous peaks during the first and second waves between April and December 2020. As of July 19, South Africa has recorded 2.3 million cases and 67,000 deaths since the pandemic started, according to the country’s Department of Health. On June 27, President Cyril Ramaphosa announced that the country would move to adjusted alert level 4 of lockdown for 14 days as the country faced a rising number of COVID-19 infections. After the end of the two-week lockdown and with a continuous spike in cases, Ramaphosa addressed the nation again on July 11 and announced an additional 14 days of restrictions. Ramaphosa was facing both the COVID-19 situation and the violence across the country by pro-Zuma supporters. Banks and government buildings temporarily closed to avoid attacks. On July 12, Ramaphosa addressed the nation over persistent public violence and announced the deployment of soldiers to two provinces—Gauteng and KwaZulu-Natal, the hometown of Zuma, where the violence started. As of July 13, more than 70 people had been killed and about 1,200 arrested. “This violence may indeed have its roots in the pronouncements and activities of individuals with a political purpose and in expressions of frustration and anger,” Ramaphosa said, but added that no grievance or political cause could justify the violence and destruction. The violence has affected access to health services, with front-line workers unable to reach vaccination stations and pharmacies often shuttered to avoid vandalism and looting. The unemployment and visible inequalities in the country exacerbated the violence. **Thousands of South Africans have lost their jobs** following lockdown restrictions, and **there has been little government support for the economy.** The **violence created an opportunity to explore illegal options of survival.** On top of this, the **brutal police enforcement** of the lockdown last year has aggravated existing tensions around police brutality, **contributing to the unrest.** Ramaphosa acknowledged this in his address: “This moment has thrown into stark relief what we already knew: that the level of unemployment, poverty, and inequality in our society is **unsustainable.**” As in so many other countries, the delta variant of COVID-19 now appears to be dominant, although the government has not published separate statistics for the different variants yet. Hospitals and front-line workers in the country are overwhelmed with the number of patients they are receiving each day. In some provinces, such as Gauteng and KwaZulu-Natal, many hospitals are operating above capacity, with shortage of spaces and oxygen for patients. Front-line health care workers have been hit hard. As of December 2020, over 38,000 health care workers in South Africa had tested positive for the virus, with more than 390 dead, according to data cited by Ramaphosa. Dozens Killed in South Africa Protests COLM QUINN The government is responding by calling for massive recruitment of health volunteers to beef up the staff strength at public hospitals. Earlier on in the pandemic, African countries made some gains against the virus through precautionary measures such as border closures. For instance, in March 2020, South Africa was the first country on the continent to declare a state of national disaster on the pandemic, and stiffer restrictions were announced. But these initial **successes are gradually being lost with the new wave of infections and growing death rate.** The gradual relaxation of restrictions to save South Africa’s ailing economy, which started last June, **has worsened the situation.** The World Bank says South Africa is among the most unequal countries in the world—something the pandemic has only inflamed. **The unemployment rate in the country stood at 33 percent** at the end of March and is highest among youth aged 15 to 24. As the third wave continues to ravage the country, **just 4 million people—about 7 percent of South Africa’s population of 60 million—have received at least one dose of the vaccine,** according to the Department of Health.

COVID is pummeling South Africa's fragile economy and fueling the worst rioting since 1994.

Steinhauser and Parkinson 21. [(Gabriele Steinhauser writes about politics and economics in southern Africa and beyond and helps manage The Wall Street Journal's reporters on the continent. Joe Parkinson is the Wall Street Journal's Africa Bureau Chief, leading a team of correspondents chronicling business, policy and geopolitical trends across the continent. "Third Covid Wave Upends Fragile South Africa, a Warning for Developing World," The Wall Street Journal, July 19, 2021. <https://www.wsj.com/articles/covid-pandemic-south-africa-riots-a-warning-for-developing-world-11626711622>]

Wave after wave of **coronavirus is pummeling South Africa's fragile economy** and its largely **unvaccinated population, creating a spiral of death, lockdowns and anger that has fueled the country's worst rioting since the collapse of white minority rule in 1994.** At least 215 people died in the violence across South Africa's two most populous provinces, and more than 3,400 have been arrested. While the looting had quieted by Monday, **the situation remains tense in parts of the country.** Saaberie Chishty paramedic Farah Williams said that after weeks of back-to-back calls from patients, the phones went quiet last week during the riots. The violence was initially sparked by the arrest of former President Jacob Zuma earlier this month, and has exacerbated a power struggle within the African National Congress, South Africa's ruling party since Nelson Mandela's election as the country's first Black president 27 years ago. **President Cyril Ramaphosa has said the unrest was an attempted insurrection against South Africa's democracy and intended to sabotage its economy. The political protest quickly devolved, becoming an outlet for the frustrations of an impoverished majority long shut out of the country's economy.** South Africa is struggling to emerge from **a record contraction of 7%** last year. Each surge of Covid-19 and the subsequent lockdowns are **putting more pressure on the divided nation, where 43% of workers were without a job** at the end of March. "We were sitting on a dormant volcano here, where **all of us might perish if it erupts,**" said Xolani Dube, a political analyst with the Xubera Institute for Research and Development, a nonpartisan think tank in the southeastern city of Durban. **"Now the volcano has erupted."** The human and economic dislocation in South Africa, where just 2.8% of people have been fully vaccinated against Covid-19, shows how difficult it will be for **many emerging economies to recover from the pandemic.** The violence in South Africa—as well as in countries including Colombia and Sudan—**offers a stark example of how diminishing incomes and the rising cost of food are adding to more than a year of pandemic suffering, exacerbating political instability.** The World Bank estimates that more than 160 million people will have been pushed into poverty as a result of Covid by the end of 2021, widening the gap between the world's richest and poorest nations. **The pandemic has led 41 million people to the brink of famine, according to the World Food Program.**

Africa instability goes nuclear.

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

One of the **biggest questions of the 21st century** is whether this **destructive dynamic** can be contained, or whether the demand for ethnic, cultural and/or religious homogeneity will continue to **convulse world politics, drive new generations of conflict, and create millions more victims.** **The Congo conflict** is a disturbing piece of evidence **suggesting** that, in Africa at least, **there is potential for this kind of conflict.** The Congo war (and the long Hutu-Tutsi conflict in neighboring countries) is not, unfortunately alone. The secession of South Sudan from Sudan proper, the wars in what remains of that unhappy country, the secession of Eritrea from Ethiopia and the rise of Christian-Muslim tension right across Africa (where religious conflict often is fed by and intensifies "tribal"—in Europe we would say "ethnic" or "national"—conflicts) are strong indications that the potential for **huge and destructive conflict across Africa** is very real. But one must look beyond Africa. The Middle East of course is aflame in religious and ethnic conflict. The old British Raj including India, Pakistan, Bangladesh, Burma and Sri Lanka offers countless

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

The plan solves and WTO IP rules are a barrier to scaled-up vaccine production.

Pandey 21. [(Ashutosh Pandey) "Rich countries block India, South Africa's bid to ban COVID vaccine patents," DW, April 2, 2021. <https://www.dw.com/en/rich-countries-block-india-south-africas-bid-to-ban-covid-vaccine-patents/a-56460175>

The World Trade Organization (WTO) talks on a proposal by India and South Africa to temporarily suspend intellectual property (IP) rules related to COVID-19 vaccines and treatments hit a roadblock on Thursday after wealthy countries balked at the idea, Germany's dpa news agency reported. The two developing countries say the IP waiver will allow drugmakers in poor countries to start production of effective vaccines sooner. India and South Africa had approached the global trade body in October, calling on it to waive parts of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement). The suspension of rights such as patents, industrial designs, copyright and protection of undisclosed information would ensure "timely access to affordable medical products including vaccines and medicines or to scaling-up of research, development, manufacturing and supply of medical products essential to combat COVID-19," they said. The proposal was vehemently opposed by wealthy nations like the US and Britain as well as the European Union, who said that a ban would stifle innovation at pharmaceutical companies by robbing them of the incentive to make huge investments in research and development. This would be especially counterproductive during the current pandemic which needs the drugmakers to remain on their toes to deal with a mutating virus, they argue. The WTO talks are taking place as some wealthy countries face criticism for cornering billions of COVID shots — many times the size of their populations — while leaving poor

countries struggling for supplies. Experts say the global scramble for vaccines, or vaccine nationalism, risks prolonging the pandemic. "We have to recognize that this virus knows no boundaries, it travels around the globe and the response to it should also be global. It should be based on international solidarity," said Ellen 't Hoen, the director of Medicines Law & Policy — a nonprofit campaigning for greater access to medicines. "Many of the large-scale vaccine manufacturers are based in developing countries. All the production capacity that **exists should be exploited...**and that does require the sharing of Not enough production capacity Supporters of the waiver, which include dozens of developing and least-developed countries and NGOs, said the **WTO's IP rules were acting as a barrier to urgent scale-up of production of vaccines** and other much needed medical equipment **in poor countries.**

Framing

The standard is maximizing expected well-being

Prefer:

[1] Actor spec: Util is all that public officials know to be most reasonable to limit uncertainty

Goodin 95 — Robert E. Goodin, Distinguished Professor of Philosophy and Social & Political Theory in the Research School of Social Sciences at the Australian National University, holds a D.Phil. in Politics from Oxford University, 1995 ("Utilitarianism as a public philosophy," *Utilitarianism as a Public Philosophy*, Published by Cambridge University Press, ISBN 0521462630, p. 8-10)

The strength of utilitarianism, the problem to which it is a truly compelling solution, **is as a guide to public rather than private conduct**. **There, virtually all its vices** - all the things that make us wince in recommending it as a code of personal morality - **loom instead as considerable virtues**.

Consider first the raft of criticisms couched in terms of the impersonality of utilitarianism. Like all universalist philosophies, **utilitarianism asks us to take "the view from nowhere."**¹⁹ There is no obvious place within utilitarian theories for people's idiosyncratic perspectives, histories, attachments, loyalties or personal commitments.

That rings untrue to certain essential qualities of personal life. The essence of the communitarian challenge is that everyone comes from somewhere. There are no free-floating individuals, of the sort with which liberals generally, and utilitarians paradigmatically, populate their moral theories."²⁰ People have, and upon reflection we think they should have, principled commitments and personal attachments of various sorts.²¹[end page 8]

As an account of the peculiar role responsibilities of public officials (and, by extension, of ordinary individuals in their public capacities as citizens) **that vice becomes a virtue**, though. **Those agents**, too, **have to come from somewhere**, bringing with them a whole raft of baggage of personal attachments, commitments, principles and prejudices. **In their public capacities, however, we think it only right and proper that they should stow that baggage as best they can**.

Complete neutrality might be an impossible ideal. That is another matter.²² **But it seems indisputable that that is an ideal which people in their public capacities should strive to realize as best they are able**. That is part (indeed, **a central part**) of what it is to be a public official at all. **It is the essence of public service as such that public servants should serve the public at large**. Public servants must not **play favorites**.

Or **consider**, again, **criticisms revolving around the theme that utilitarianism is a coldly calculating doctrine**.²³ **In personal affairs that is an unattractive feature**. There, we would like to suppose that certain sorts of actions proceed immediately from the heart, without much reflection much less any real calculation of consequences. Among intimates it would be extremely hurtful to think of every kind gesture as being contrived to produce some particular effect.

The case of public officials is, once again, precisely the opposite. There, it is the height of irresponsibility to proceed careless of the consequences. Public officials are, above all else, obliged to take care: not to go off half cocked, not to let their hearts rule their heads. In Hare's telling example, the very worst thing that might be said of the Suez misadventure was not that the British and French did some perfectly awful things (which is true, too) but that they did so utterly unthinkingly.

Related to the critique of utilitarianism as a calculating doctrine is the critique of utilitarianism as a consequentialist doctrine. According to utilitarianism, the effects of an action are everything. There are no actions which are, in and of themselves, morally right or wrong, good or bad. The only things that are good or bad are the effects that actions produce.²⁵

That proposition runs counter to certain ethical intuitions which, at [end page 9] least in certain quarters, are rooted deeply. Those who harbor a Ten Commandments view of the nature of morality see a moral code as being essentially a list of "thou shalts" and "thou shalt nots" - a list of things that are right or wrong in and of themselves, quite regardless of any consequences that might come from doing them.²⁶

That may or may not be a good way to run one's private affairs. ²⁷ Even those who think it is, however, tend to concede that it is no way to run public affairs. It is in the nature of public officials' role responsibilities that they are morally obliged to "dirty their hands" — make hard choices, do things that are wrong (or would ordinarily be wrong, or would be wrong for ordinary private individuals) in the service of some greater public good.²⁸ It would be simply irresponsible of public officials (in any broadly secular society, at least) to adhere mindlessly to moral precepts read off some sacred list, literally "whatever the consequences."²⁹ Doing right though the heavens may fall is not (nowadays, anyway) a particularly attractive posture for public officials to adopt.

[2] Util is a lexical pre-requisite to any other framework – big scale impacts are irreversible – extinction can only happen once

[3] Moral uncertainty means any risk of extinction outweighs under any framework – you can never be 100 sure about any ethical framework, so you must keep people alive to make future, improved ethical determinations

[4] Prefer Consequentialism – only consequentialism explains degrees of wrongness— if I break a promise to meet up for lunch, that is not as bad as breaking a promise to take a dying person to the hospital. Only the consequences of breaking the promise explain why the second one is much worse than the first