## Contractarianism NC

#### Moral internalism is true:

#### [1] Disagreement – Externalist theories fail to explain why some agents have the differing motivation for actions – internalism solves by showing how agents’ motivations are dictated by internal desires. Markovitz

[Markovits 14, Markovits, Julia. Moral reason. https://philpapers.org/rec/ROCJMM Oxford University Press, 2014.//Scopa] SHS ZS

Relatedly, internalism about reasons seems less presumptive than externalism. **We should not assume** that **some of us have** special **epistemic access to what matters**, **especially in the absence of any criterion for making such a judgment**. **It’s better to start from the assumption**, as internalism does, **that everyone’s ends are equally worthy of pursuit** – **and correct this assumption** only **by appealing to standards that are** as **uncontroversial** as possible. **According to externalism** about reasons, **what matters normatively** – that is, what we have reason to do or pursue or protect or respect or promote – **does not depend in** any fundamental way on **what** in fact **matters to us** – that is, what we do do and pursue and protect and respect and promote. **Some of us happen to be motivated by what actually matters**, **and some** of us **are “wrongly” motivated**. **But externalists** can **offer no explanation for this supposed difference** in how well we respond to reasons – **no explanation of why some of us have the right motivations and some of us the wrong ones** – **that doesn’t** itself **appeal to the views about what matters** that they’re trying to justify. (They can explain why some people have the right motivations by saying, e.g., that they’re good people, but that assumes the truth of the normative views that are at issue.22) **A comparison to the epistemic case** helps **bring out what is unsatisfactory** in the externalist position. **We sometimes attribute greater epistemic powers to some people than** to **others** **despite not being able to explain why they’re more likely to be right** in their beliefs about a certain topic. **Chicken-sexing is a popular example** of this among philosophers. **We think some people are more likely to form true beliefs about the sex of chickens than others even though we can’t explain why they are better at judging the sex of chickens.** But in the case of chicken-sexing, **we have independent means of determining the truth, and so we have independent verification that chicken-sexers usually get things right**. **Externalism seems to tell[s] us that some of us are better reasons- sensors than others**, but **without providing the independent means of determining** which of us are in fact more reliably motivated by genuine normative reasons (or even that some of us are).

#### [2] Regress – a priori knowledge is merely an acceptance of an individual’s conception of rationality. Macintyre 81.

[Macintyre 81, Alasdair Macintyre, https://undpress.nd.edu/9780268035044/after-virtue/ After Virtue, 1981] SHS ZS

The most influential account of moral reasoning that emerged in response to this critique of emotivism was one according to which an agent can only justify a particular judgment by referring to some universal rule from which it may be logically derived, and can only justify that rule in turn by deriving it from some more general rule or principle; but on this view [**S]ince every chain of reasoning must be finite**, such **a process of justificatory reasoning must always terminate with the assertion of some rule or principle for which no further reason can be given.** ‘Thus a complete justification of a decision would consist of a complete account of its effects together with a complete account of the principles which it observed, and the effect of observing those principles. **If** [I] **the enquirer still goes on ask ing** ‘But why should I live like that?’ then **there is no further answer to give** him, because we have already, ex hypothesi, [we have already] said everything that could be included in the further answer.’ (Hare 1952, p. 69). **The terminus of justification is thus always**, on this view, a not further to be justified choice, **a choice unguided by criteria.** **Each individual implicitly or explicitly has to adopt his or her own first principles on the basis of such a choice.** The utterance of any universal principle is in the end an expression of the preferences of an individual will and for that will its principles have and can have only such authority as it chooses to confer upon them by adopting them.

#### [3] Empirically proven – the competition between competing externalists modes of ethics has been going for centuries. Leiter

[Leiter, Brian. “Moral Psychology with Nietzsche.” Oxford University Press. Published 2019] SHS ZS

With respect to very particularized moral disagreements — e.g., about questions of economic or social policy — which often trade on obvious factual ignorance or disagreement about complicated empirical questions, this seems a plausible retort. But **for over two hundred years**, **Kantians and utilitarians have** [developed] **been developing** increasingly systematic **versions of their respective positions**. The Aristotelian tradition in moral philosophy has an even longer history. **Utilitarians** [They] **have become** particularly **adept at explaining how they can accommodate** [**others**] Kantian and Aristotelian intuitions about particular cases and issues, **though** in ways that are usually found to be systematically unpersuasive to the competing traditions and which, in any case, **do nothing to dissolve the disagreement** about the underlying moral criteria and categories. Philosophers in each tradition increasingly talk only to each other, without even trying to convince those in the other traditions. And **while there may well be ‘progress’ within traditions** — e.g., most utilitarians regard Mill as an improvement on Bentham—**there does not appear to be any progress** [towards] **in moral theory**, in the sense of a consensus that particular fundamental theories of right action and the good life are deemed better than their predecessors. What we find now are simply the competing traditions — Kantian, Humean, Millian, Aristotelian, Thomist, perhaps now even Nietzschean — who often view their competitors as unintelligible or morally obtuse, but don’t have any actual arguments against the foundational principles of their competitors. **There is**, in short, **no sign** — I can think of none — **that we are heading towards any epistemic rapprochement** between these competing moral traditions. Are we really to believe that hyper-rational and reflective moral philosophers, whose lives, in most cases, are devoted to systematic reflection on philosophical questions, many of whom (historically) were independently wealthy (or indifferent to material success) and so immune to crass considerations of livelihood and material self-interest, and most of whom, in the modern era, spend professional careers refining their positions, and have been doing so as a professional class in university settings for well over a century — are we really supposed to believe that they have reached no substantial agreement on any foundational moral principle because of ignorance, irrationality, or partiality

#### [4] Motivation – A. Externalist ethics collapse to internalism because agents will only follow external demands if they are consistent with their internal account of the good. For instance, citizens only follow the law insofar as its consistent with their internal beliefs, even when external value structures are being placed upon them. B. Empirics – there is no factual account of the good since each agent has unique motivation and there is no way to combine these beliefs into a unified ethic.

#### Thus, the standard is consistency with contractarianism. Agents must engage in the project of mutual self-restraint as to not impede upon the moral authority of others. Stanford.

[Stanford Encyclopedia of Philosophy. “Contractarianism.” <https://plato.stanford.edu/entries/contractarianism/> Published 18 June 2000] SHS ZS

A brief sketch of the most complete and influential contemporary contractarian theory, David Gauthier’s, is in order. **Gauthier’s project** in Morals By Agreement **is to employ a contractarian approach to grounding morality in rationality** in order **to defeat the moral skeptic.** (However, Anita Superson (2009) points out that Gauthier attempts to answer only the skeptic who asks “why should I be moral?” but leaves both the motive skeptic, who argues that it is enough to act morally but need not be motivated by morality, and the amoralist, who denies that there is any such thing as morality, that is, that there are true moral statements.) **It is** generally **assumed that humans can have no perfect natural harmony of interests** (otherwise morality would be largely superfluous), and that there is much for each individual to gain through cooperation. However, **moral constraint on the pursuit of individual self-interest is required because cooperative activities almost inevitably lead to a prisoner’s dilemma**: a situation in which the best individual outcomes can be had by those who cheat on the agreement while the others keep their part of the bargain. This leads to the socially and individually sub-optimal outcome wherein each can expect to be cheated by the other. But by disposing themselves to act according to the requirements of morality whenever others are also so disposed, they can gain each others’ trust and cooperate successfully. **The contractarian element of the theory comes in the derivation of the moral norms. The compliance problem—the problem of justifying rational compliance with the norms that have been accepted—must drive the justification of the initial situation and the conduct of the contracting situation**. **It is helpful to think of the contract situation as a bargain, in which each party is trying to negotiate the moral rules that will allow them to realize optimal utility**, and this has led philosophers to apply a number of bargaining solutions to the initial contract situation. Gauthier’s solution is the “minimax relative concession” (1986, ch. V). **The idea of minimax relative concession is that each bargainer will be most concerned with the concessions that she makes from her ideal outcome relative to the concessions that others make**. If she sees her concessions as reasonable relative to the others, considering that she wants to ensure as much for herself as she can while securing agreement (and thereby avoiding the zero-point: no share of the cooperative surplus) and subsequent compliance from the others, then she will agree to it. What would then be the reasonable outcome**? The reasonable outcome, according to this view, is the outcome that minimizes the maximum relative concessions of each party to the bargain** (Gauthier 1986, ch. V). Equally important to the solution as the procedure is the starting point from which the parties begin. For some contractarians (like Gauthier) there is no veil of ignorance—each party to the contract is fully informed of their personal attributes and holdings. However, without the veil of ignorance, contractors will be aware of the differences in bargaining power that could potentially affect the outcome of the bargain. **It is important, then, that the initial position must have been arrived at non-coercively if compliance to the agreement is to be secured.** A form of the “Lockean proviso” (modeled after Locke’s description of the initial situation of his social contract): that one cannot have bettered himself by worsening others, may turn out to be beneficial in cases without a veil of ignorance. In sum, **the moral norms that rational contractors will adopt** (and comply with) **are those norms that would be reached by the contractors beginning from a position each has attained through her own actions which have not worsened anyone else,** and adopting as their principle for agreement the rule of minimax relative concession (Gauthier 1986, ch. VII). On one line of thought, contractarianism produces liberal individuals who seem well suited to join the kind of society that Rawls envisioned (Gauthier 1986, ch. XI). On another line, the Hobbesian contractarian argument leads towards the sparse government of libertarianism (Narveson 1988). The controversy here turns on the primary motivation for individuals to make agreements and cooperate. As we said before, there are two such motivations for the Hobbesian contractarian: fear of the depredations of others and benefits from cooperation with others. Libertarianism results when the first of these is primary, whereas when the second is primary, the kind of reciprocity and supportive government that will be discussed in the final section becomes possible.

#### Prefer additionally:

#### [1] Actor specificity – states are not moral entities but derive authority from the contracts that allows them to constrain action. This outweighs on empiricism; states aren’t bound by moral obligations, but they are by their contracts to other entities.

#### [2] Collapses – Contracts takes into account all other ethical theories and allows agents to engage under the index of their own good so long as they don’t violate the constraints of their other. The NC functions as a meta constraint – meaning indicts don’t take it out but they rather prove the truth of a theory under a particular index.

#### [3] Culpability – Only contracts ensure agents are held to their agreements since there is a verifiable basis for judging their actions as wrong as well as a pre-established punishment for breaking it.

#### Negate:

#### COVID vaccines were created under a IPR regime where the government rewarded their innovation with a patent. Post facto removal of the patent without pharmaceutical permission breaks a contract and is an imposition that violates moral constraint.

## 2

#### CP Text: Member nations of the WTO ought to grant a TRIPS waiver during COVID

#### Plan solves for future pandemics by creating precedent for a new IP regime that seamlessly shifts to a direct support model only during pandemics, which allows pharma companies to profit and innovate while speeding up the process---that solves but avoids the innovation DA.

Brink **Lindsey 21**. Vice President, Niskanen Center; Writes for Brookings, “Why Intellectual Property and Pandemics Don’t Mix,” Brookings, June 3, 2021, <https://www.brookings.edu/blog/up-front/2021/06/03/why-intellectual-property-and-pandemics-dont-mix/>, RJP, **DebateDrills**.

PUBLIC HEALTH EMERGENCIES AND DIRECT GOVERNMENT SUPPORT

For pandemics and other public health emergencies, patents’ mix of costs and benefits is **misaligned** with what is needed for an effective policy response. The basic patent bargain, even when well struck, is to pay for more innovation down the road with **slower diffusion of innovation today**. In the **context of a pandemic**, that bargain is a bad one and should be rejected entirely. Here the imperative is to **accelerate** the diffusion of vaccines and other treatments, not slow it down. Giving drug companies the power to hold things up by blocking competitors and raising prices pushes in the completely wrong direction.

What approach to encouraging innovation should we take instead? How do we incentivize drug makers to undertake the hefty R&D costs to develop new vaccines without giving them exclusive rights over their production and sale? The most effective approach during a public health crisis is **direct government support**: public funding of R&D, advance purchase commitments by the government to buy large numbers of doses at set prices, and other, related payouts. And when we pay drug makers, we should not hesitate to pay generously, even extravagantly: we want to offer drug companies big profits so that they prioritize this work above everything else, and so that they are ready and eager to come to the rescue again the next time there’s a crisis.

It was direct support via **Operation Warp Speed** that made possible the astonishingly rapid development of COVID-19 vaccines and then facilitated a relatively rapid rollout of vaccine distribution (relative, that is, to most of the rest of the world). And it’s worth noting that a major reason for the faster rollout here and in the United Kingdom compared to the European Union was the latter’s [misguided penny-pinching](https://www.nytimes.com/2021/05/17/opinion/europe-vaccines-commission.html?smid=tw-share). The EU bargained hard with firms to keep vaccine prices low, and as a result their citizens ended up in the back of the queue as various supply line kinks were being ironed out. This is particularly ironic since the Pfizer-BioNTech vaccine was developed in Germany. As this fact underscores, the chief advantage of direct support isn’t to “get tough” with drug firms and keep a lid on their profits. Instead, it is to accelerate the end of the public health emergency by making sure drug makers profit handsomely from doing the right thing.

Patent law and direct support should be seen **not as either-or alternatives but as complements** that apply different incentives to different circumstances and time horizons. Patent law provides a decentralized system for encouraging innovation. The government doesn’t presume to tell the industry which new drugs are needed; it simply incentivizes the development of whatever new drugs that pharmaceutical firms can come up with by offering them a temporary monopoly. It is important to note that patent law’s incentives offer no commercial guarantees. Yes, you can block other competitors for a number of years, but that still doesn’t ensure enough consumer demand for the new product to make it profitable.

**DIRECT SUPPORT MAKES PATENTS REDUNDANT**

The situation is different in a pandemic. Here the government knows exactly what it wants to incentivize: the creation of vaccines to prevent the spread of a specific virus and other drugs to treat that virus. Under these circumstances, the decentralized approach isn’t good enough. There is no time to sit back and let drug makers **take the initiative** on their own timeline. Instead, the government needs to be more involved to incentivize specific innovations now. As recompense for letting it call the shots (pardon the pun), the government sweetens the deal for drug companies by insulating them from commercial risk. If pharmaceutical firms develop effective vaccines and therapies, the government will buy large, predetermined quantities at prices set high enough to guarantee a healthy return.

For the pharmaceutical industry, it is useful to conceive of patent law as the default regime for innovation promotion. It improves pharmaceutical companies’ incentives to develop new drugs while leaving them free to decide which new drugs to pursue – and also leaving them to bear all commercial risk. In a pandemic or other emergency, however, it is appropriate to **shift to the direct support regime**, in which the government focuses efforts on one disease. In this regime, it is important to note, the government provides qualitatively superior incentives to those offered under patent law. Not only does it offer public funding to cover the up-front costs of drug development, but it also provides advance purchase commitments that guarantee a healthy return.

It should therefore be clear that the pharmaceutical industry has **no legitimate basis for objecting to a TRIPS waiver**. Since, because of the public health crisis, drug makers now qualify for the superior benefits of direct government support, they no longer need the default benefits of patent support. Arguments that a TRIPS waiver would deprive drug makers of the incentives they need to keep developing new drugs, when they are presently receiving the most favorable incentives available, can be **dismissed as the worst sort of special pleading.**

That said, it is a serious mistake to try to cast the current crisis as a morality play in which drug makers wear the black hats and the choice at hand is between private profits and public health. We would have no chance of beating this virus without the formidable organizational capabilities of the pharmaceutical industry, and providing the appropriate incentives is essential to ensure that the industry plays its necessary and vital role. It is misguided to lament that private companies are profiting in the current crisis: those profits are a drop in the bucket compared to the staggering cost of this pandemic in lives and economic damage.

What matters isn’t the existence or size of the profits, but how they are earned. We have good reason to want drug makers to profit from vaccinating the world: the comparative price is minuscule, and the incentive effects are a vital safeguard of public health in the event of future crises. What we want to avoid at all costs is putting drug makers in the position where drug companies can profit from standing in the way of rapid global vaccination. That is why intellectual property rights need to be taken out of the equation.

Vaccinating the world in any kind of reasonable time frame will require large-scale technology transfer to drug firms in other countries and rapid expansion of their production capacity. And looking beyond the current pandemic to the longer term, we need [ample, redundant global vaccine production capacity](https://www.vox.com/future-perfect/22397914/vaccine-mrna-adenovirus-manufacturing-process-investment) that is widely distributed around the planet. To achieve these goals as rapidly as possible will require the active cooperation of the U.S. pharmaceutical industry, which is why the direct support model now needs to be extended. What is needed now is an Operation Warp Speed for the world, in which we make it worth current vaccine producers’ while to share their know-how broadly and ramp up global capacity.

Here again, we must recognize that the choice isn’t between people on the one hand and profits on the other. Rather, the key to good pandemic response policy is ensuring that **incentives are structured** so that drug company profit-seeking and global public health are well aligned. That means opting out of the default, decentralized patent bargain in favor of generous but well-focused direct government support.

## 3

#### Economy’s recovering now – Delta and inflation are challenges but surmountable

**Sully 8/19** - Evan Sully, 8/19/21, Reuters, U.S. leading indicator points to further economic recovery in July, https://www.reuters.com/world/us/us-leading-indicator-points-further-economic-recovery-july-2021-08-19/ WJ

(Reuters) -**A gauge of future U.S. economic activity increased in July, suggesting the economy continued to expand from the recession caused by the coronavirus pandemic even in the face of a resurgence in cases fueled by the Delta variant**.

**The Conference Board on Thursday said its index of leading economic indicators (LEI) rose 0.9% last month to 116.0. Economists polled by Reuters had expected an increase of 0.8**%.

Even though the U.S. economy is forecast to grow this year at its fastest pace since the 1980s, **there are signs the recovery could be cooling off.** **Supply-chain bottlenecks continue to slow manufacturing growth, and consumer sentiment plummeted in early August to a decade-low** as **Americans gave faltering outlooks on everything from personal finances to inflation and employment**.

Meanwhile, consumer price increases slowed in July, the Labor Department said last week, but **inflation overall remained at a historically high level amid supply-chain disruptions as well as stronger demand for travel-related services**.

"The U.S. LEI registered another large gain in July, with all components contributing positively," said Ataman Ozyildirim, the Conference Board's senior director of economic research. "**While the Delta variant and/or rising inflation fears could create headwinds for the U.S. economy in the near term, we expect real GDP** (gross domestic product) growth for 2021 **to reach 6.0% year-over-year, before easing** to a still robust 4.0% growth rate for 2022."

The LEI's coincident index, a measure of current economic conditions, rose 0.6% in July after increasing 0.4% in June.

But the lagging index increased 0.6% last month after being unchanged in June and increasing 0.8% in May.

"**Even with more moderate growth in the second half of the year, the economy’s momentum remains encouraging with constraints on labor supply easing, a trove of excess savings still waiting to be drawn down, and strong vaccine numbers that will insulate the economy from the worsening health situation more so than prior waves**," said Mahir Rasheed, U.S. economist at Oxford Economics.

#### Biotech is resilient and fundamentals are strong – but this trend relies on innovation and investment

**Cancherini et al 21** -- Laura Cancherini is a consultant in McKinsey’s Brussels office; Joseph Lydon is an associate partner in the Zurich office, where Jorge Santos da Silva is a senior partner and Alexandra Zemp is a partner, McKinsey, What’s ahead for biotech: Another wave or low tide?, April 30, 2021, https://www.mckinsey.com/industries/pharmaceuticals-and-medical-products/our-insights/whats-ahead-for-biotech-another-wave-or-low-tide WJ

**As the pandemic spread across the globe in early 2020, biotech leaders were initially pessimistic**, reassessing their cash position and financing constraints. When McKinsey and BioCentury interviewed representatives from 106 biotech companies in May 2020,4 half of those interviewed were expecting delays in financing, and about 80 percent were tight on cash for the next two years and considering trade-offs such as deferring IPOs and acquisitions. **Executives feared that valuations would decline because of lower revenue projections and concerns about clinical-trial delays**, salesforce-effectiveness gaps, and other operational issues.

Belying this downbeat mood, biotech has in fact had one of its best years so far. **By January 2021, venture capitalists had invested some 60 percent more than they had in January 2020**, with more than $3 billion invested worldwide in January 2021 alone.5 IPO activity grew strongly: there were 19 more closures than in the same period in 2020, with an average of $150 million per raise, 17 percent more than in 2020. Other deals have also had a bumper start to 2021, with the average deal size reaching more than $500 million, up by more than 66 percent on the 2020 average (Exhibit 3).6

What about SPACs?

The analysis above does not include special-purpose acquisition companies (SPACs), which have recently become significant in IPOs in several industries. Some biotech investors we interviewed believe that SPACs represent a route to an IPO. How SPACs will evolve remains to be seen, but biotechs may be part of their story.

Fundamentals continue strong

**When we asked executives and investors why the biotech sector had stayed so resilient during the worst economic crisis in decades, they cited innovation as the main reason**. The number of assets transitioning to clinical phases is still rising, and **further waves of innovation are on the horizon**, driven by the convergence of biological and technological advances.

In the present day**, many biotechs, along with the wider pharmaceutical industry, are taking steps to address the COVID-19 pandemic**. Together, **biotechs and pharma companies have more than 250 vaccine candidates in their pipelines**, along with a similar number of therapeutics. What’s more, the crisis has shone a spotlight on pharma as the public seeks to understand the roadblocks involved in delivering a vaccine at speed and the measures needed to maintain safety and efficacy standards. To that extent, **the world has been living through a time of mass education in science research and development**.

Biotech has also benefited from its innate financial resilience. Healthcare as a whole is less dependent on economic cycles than most other industries. Biotech is an innovator, actively identifying and addressing patients’ unmet needs. In addition, biotechs’ top-line revenues have been less affected by lockdowns than is the case in most other industries.

Another factor acting in the sector’s favor is that **larger pharmaceutical companies still rely on biotechs as a source of innovation**. With the top dozen pharma companies having more than $170 billion in excess reserves that could be available for spending on M&A, **the prospects for further financing and deal making look promising**.

#### Pharma collapses without strong IP protections

**Buckland 17** - Danny Buckland (award-winning journalist who writes about health, general features and news, shortlisted for the prestigious Mind Media Awards for his work covering mental health issues), April 26, 2017, “Patents are lifeblood of pharmas”, https://www.raconteur.net/legal/intellectual-property/patents-are-lifeblood-of-pharmas/ WJ

**Pharmaceutical companies are staffed by ranks of attorneys, and the intellectual property (IP) specialist is now a pivotal position in the research and development (R&D) cycle that keeps a company profitable** and new drugs flowing to patients.

**Tighter regulatory frameworks** and even tighter purse strings controlled by healthcare systems **are putting the squeeze on pharma returns and limiting R&D budgets**. Figures from analysts Deloitte in 2016 reported projected return on investment was at a six-year low while development costs had risen by almost a third.

The litany of market changes is vexing for the industry. **The generation of blockbuster drugs, with massive returns**, **has ended,** national healthcare budgets are receding, traditional management methods are being challenged and new players, such as electronics and software companies, are entering the arena.

“**For pharmaceutical companies, the patent system is its lifeblood and it simply wouldn’t survive without it**,” says Simon Wright, a patent attorney with J A Kemp and chairman of the Chartered Institute of Patent Attorneys’ life sciences committee. “**The cost of getting a product to market is high and there is a high failure rate**, so you are not going to get investment unless you can protect your product and innovation. **Quite frankly, it would all collapse without good IP**.”

#### Biopharmaceutical research is the bedrock of our economy – even minor reductions in income result in mass unemployment and butterfly effects

**Sullivan 11** – Thomas Sullivan (Thomas Sullivan is Editor of Policy and Medicine, President of Rockpointe Corporation, founded in 1995 to provide continuing medical education to healthcare professionals around the world. Prior to founding Rockpointe, Thomas worked as a political consultant), July 12, 2011, Study Shows Importance of Biopharmaceutical Jobs For US Economy,” Policy and Medicine, http://www.policymed.com/2011/07/study-shows-importance-of-biopharmaceutical-jobs-for-us-economy-for-every-20-billion-loss-in-revenue.html WJ

**Biopharmaceutical research companies produce the highest-value jobs**, the types of jobs Americans want in the 21st century economy, the kinds of jobs that can drive future economic growth. **No other sector has the ability to drive innovation, create high-quality jobs and provide new life-saving medicines for patients.**

According to a recent report from the Battelle Technology Partnership Practice (TPP), “nationwide, the biopharmaceutical sector supported a total of 4 million jobs in 2009, including nearly 675,000 direct jobs. Battelle is the world’s largest non-profit independent research and development organization, providing innovative solutions to the world’s most pressing needs through its four global businesses.

TPP has an established reputation in state-by-state assessment of the biopharmaceutical sector, and has recently undertaken major impact assessment projects for the Human Genome Project, the nation’s biotechnology sector, and major bioscience organizations such as Mayo Clinic. TPP has also been active in provision of analysis to industry organizations, including the Council for American Medical Innovation, PhRMA and BIO-the Biotechnology Industry Organization.

**Each job in a biopharmaceutical research company supported almost 6 additional jobs in other sectors**, ranging from manufacturing jobs to construction and other building service jobs to contract researchers and child care providers. Together, **this biopharmaceutical sector-related workforce received $258 billion in wages and benefits in 2009**.

“Battelle also found that across all occupations involved in the biopharmaceutical sector, **the average wage is higher than across all other private sector industries**, due to the sector’s role as a ‘high value-added sector.” Specifically, the annual average personal income of a biopharmaceutical worker was $118,690 in 2009 as compared to $64,278 in the overall economy.

Additionally, the **biopharmaceutical sector’s total economic output** (including direct, indirect and induced impacts) was $918 billion in 2009. The sector generated an estimated $85 billion tax revenues in 2009—$33 billion in state and local and more than $52 billion in federal. This impact **comprises $382 billion in direct impact of biopharmaceutical businesses and $535 billion in indirect and induced impacts** (an output multiplier of 2.4—meaning that every $1 dollar in output generated by the biopharmaceutical sector generates another $1.4 in output in other sectors of the economy).

To put this export volume into perspective, 2010’s total biopharmaceutical exports of $46.7 billion compares favorably to other major U.S. exports including: automobiles ($38.4 billion in 2010 exports); plastics and rubber products ($25.9 billion); communications equipment ($27 billion) and computers ($12.5 billion).

In addition, the U.S. Congressional Budget Office noted that, “**the pharmaceutical industry is one of the most research-intensive industries in the United States** and that pharmaceutical firms invest as much as five times more in research and development, relative to their sales, than the average U.S. manufacturing firm.”

At over $105,000 in biopharmaceutical R&D per employee, **the sector is way ahead of the average across all U.S. manufacturing** which stands at about $10,000 per employee—and is far ahead of the second and third ranked sectors of “communications equipment” and “semiconductors, which respectively spend $63,000 and $40,000 per employee in R&D annually.

PhRMA Statement on Battelle Report

Consequently, Pharmaceutical Research and Manufacturers of America (PhRMA) President and CEO John J. Castellani issued a statement discussing the results from this report and the biopharmaceutical research sector’s impact on jobs and the American economy.

Castellani asserted that, “at a time when the U.S. is facing a jobs crisis, evidenced by the terrible employment numbers from last Friday, **it is critical that our policymakers embrace dynamic and innovative business sectors such as the biopharmaceutical research sector and refrain from stifling job growth** **through shortsighted proposals** **such as government-mandated price controls** in Medicare Part D.”

Specifically, the PhRMA CEO pointed to a new paper from the Battelle Technology Partnership Practice, which underscored the pharmaceutical sector’s tremendous contribution to America’s economy. Castellani recognized that, “**startling potential job losses would result from undermining the business foundations of biopharmaceutical companies**.”

He noted that the Battelle report estimated “**that a $20 billion per year reduction in biopharmaceutical sector revenue would result in 260,000 job losses across the U.S. economy**” and a $59 billion reduction in U.S. economic activity. As a result, Castellani recognized that, “as the President and Congressional leaders negotiate an important agreement on the debt ceiling and the future of the nation’s economy, it is critical that the jobs crisis is not exacerbated.”

For example, Castellani noted how “the President and some in Congress have proposed including government-mandated rebates in Medicare Part D as part of a debt ceiling agreement.” However, he recognized that “such a provision would have a dramatic negative effect on the economy and patients, and could undermine the success of the Part D program, which has very high beneficiary satisfaction and has cost far less than original government projections.”

He pointed to the “**Battelle numbers, which clearly demonstrated that reducing the biopharmaceutical sector’s annual revenue by $20 billion would be a serious blow to employment**.” Castellani added that, “while the research is not specific to any one policy or event, proposals being considered, such as government-mandated Part D rebates, would be expected to have revenue impact of this magnitude.”

Moreover, he noted that, “Part D is an unparalleled success, providing unprecedented access to life-saving medicines for seniors.” Accordingly, Castellani asserted that PhRMA does not “believe **policies that discourage R&D and cutting-edge science** and **that will inevitably slow the development of needed new medicines are fair for seniors waiting for new treatments against our most challenging and costly diseases**.”

Battelle Report

The Battelle Report quantifies the economic impact of the biopharmaceutical sector on the U.S. economy and jobs using input/output analysis, measures the direct and indirect impacts of the biopharmaceutical sector, and quantifies the economic impacts that would occur if biopharmaceutical revenues increase or decrease from significant changes in the business operating environment.

The report also highlights some of the functional impacts of the sector—the wide-ranging benefits provided through the biopharmaceutical sector’s contributions to enhancing human health, improving life spans and sustaining the high quality-of-life that Americans enjoy—and assesses the contributions of the biopharmaceutical sector to key areas of importance to our economy— innovation, product exports and quality of jobs produced.

The Battelle Report starts by recognizing that the biopharmaceutical sector has all of the characteristics for an ideal industry for economic growth and sustainability in the U.S. Specifically, the biopharmaceutical sector:

Grows in output and employment even in tough economic times

Provides high wage, good quality jobs

Is innovative and deploys high-technology to generate comparative advantage for U.S. companies

Generates significant exports that boost the U.S. economy

Has a strong supply chain that drives further economic growth across the economy through “multiplier effects”

Builds on America’s long-standing strengths and investment in fundamental and applied research

Encourages capital flows to sustain growth, and is profitable to provide funds for reinvestment into the research and development (R&D) cycle;

Generates federal, state and local taxes and other economic contributions that support public services

Is sustainable and not a major drain on global resources

Is geographically dispersed, providing opportunities for job creation and economic growth across many areas of the nation, not just a few selected places

Produces a product of value to society, something that improves the quality of life for humankind, including

Improved life spans (personal longevity)

Improved productivity resulting from prevention and effective management of disease and chronic conditions; and

Reductions in unnecessary hospitalizations resulting in potential cost-offsets elsewhere in the health care system.

Fundamental to major progress in human longevity, reducing the marginalization of individuals from disease and disability, and generally improving our quality-of-life, biopharmaceuticals are a unique contributor to societal and individual well-being.

Moreover, **the output of the biopharmaceutical sector is highly valued by society because the sector develops and manufactures a broad-range of unique products to treat disorders and diseases that, were they to go untreated, can ruin individual quality of life, personal abilities and productivity**. In many instances, biopharmaceuticals are central to helping to prevent and treat a range of public health issues, address pandemic risk and thereby support national economic security.

For example, innovation in the biopharmaceutical sector, combined with the diagnostic and treatment skills of U.S. healthcare professionals, has contributed to a lengthening of the average life span of Americans. In 1900, the expected life span of an American at birth was just 47.3 years. With the advent of more modern medicines and advanced medical knowledge, life expectancy at birth has seen a steady increase rising to 69.7 years in 1960, and 77.9 years in 2007.

In fact, the National Bureau of Economic Research reports that “there is a highly statistically significant relationship between the number of new molecular entities [drugs] approved by the FDA and increased longevity.” Furthermore, Lichtenberg found in a study of FDA data that “approval of priority-review drugs—those considered by the FDA to offer significant improvements in the treatment, diagnosis, or prevention of a disease—has a significant positive impact on longevity.”

Additionally, the American Hospital Association (AHA) notes that “advances in medicine contribute to national economic growth by helping Americans recover more quickly from injury and illness, avoid lost or ineffective work time due to flare-ups of chronic conditions, and live longer with higher quality of life.” **Without effective medicines and treatments for illnesses, injuries, pain and chronic conditions, the productivity of the U.S. economy would clearly be greatly impaired**. **Biopharmaceuticals are a key contributor to a more productive and healthy America and U.S. economy**.

Beyond direct employment in biopharmaceutical companies, the biopharmaceutical sector is the foundation upon which one of the United States’ most dynamic innovation and business ecosystems is built. A large part of the modern biomedical economy is built upon a robust foundation of biopharmaceutical companies that perform and support advanced biomedical and technological R&D, and act as the funnel and distribution engine for getting life-saving and quality-of-life-sustaining therapeutics to the marketplace.

Providing R&D impetus and funding, capital resources, technology licensing opportunities, and a sophisticated market access and distribution system, the biopharmaceutical sector is of central importance to the much broader biomedical and life sciences economy.

**Fueled by private investment capital, venture capital investments, and public/private collaborations, and enabled by the U.S. open market system**, the nation has been able to advance biomedical innovation, which in turn has led to new start-up companies, business growth and exports across the world.

Conclusion

Despite the tremendous success in the biopharmaceutical industry, emerging infectious diseases continue to present new challenges and a substantial volume of long-standing diseases such as cancer, diabetes, neurodegenerative diseases, psychiatric diseases, immunological diseases, etc. continue to demand novel treatments and improved therapeutics. There are millions of people suffering from diseases and disorders for which a therapy has yet to be found. **The need for ongoing biopharmaceutical research and development is simply enormous**.

The only way the U.S. economy can stay ahead of international competition is by using advanced R&D and innovation to drive the growth of high value-added industries. By leveraging investment in federal lab, university and industry R&D, our nation is able to produce high-value, typically technologically advanced products that the rest of the world values highly. In recent decades, **life sciences have come to the fore as a leading driver of U.S. technological innovation and competitive advantage, and the biopharmaceutical sector is a key foundation of the life sciences innovation ecosystem**.

#### Bipoharma collapse causes economic meltdown – it’s far worse than previous recessions

**Howrigon 17** -- Ron Howrigon “(President and Founder of Fulcrum Strategies. He earned a Bachelor's degree in Business Administration from Western Michigan University and a Master's in Economics from North Carolina State University, focusing in the area of Health Economics) http://www.kevinmd.com/blog/2017/01/health-care-crash-u-s-economy.html, January 19 2017, WJ

In recent history, **the U.S. economy has experienced the near catastrophic failure of two major market segments**. The first was the auto industry and the second was the housing industry. While each of these reached their breaking point for different reasons, they **both required a significant government bailout to keep them from completely melting down**. What is also true about both of those market failures is that, looking back, it’s easy to see the warning signs. What happens **if health care is the next industry to suffer a major failure and collapse?** It’s safe to say that **a health care meltdown would make both** **the automotive and housing industries’ experiences seem minor** in comparison. While that may be hard to believe, it becomes clear if you look at the numbers. The auto industry contributes around 3.5 percent of this country’s GDP and employs 1.7 million people. This industry was deemed “too big to fail” which is the rationale the U.S. government used to finance its bail out. From 2009 through 2014, the federal government invested around $80 billion in the U.S. auto industry to keep it from collapsing. **Health care is five times larger than the auto industry in terms of its percentage of GDP, and is ten times larger than the auto industry in terms of the number of people it employs**. The construction industry (which includes all construction, not just housing) contributes about 6 percent of our country’s GDP and employs 6.1 million people. Again, the health care market dwarfs this industry. It’s three times larger in terms of GDP production and, with 18 million people employed in the health care sector, it’s three times larger than construction in this area, too. **These comparisons give you an idea of just how significant a portion health care comprises of the U.S. economy**. **It also begins to help us understand the impact it would have on the economy if health care melted down like the auto and housing industries did**. So, let’s continue the comparison and use our experience with the auto and housing industries to suggest to what order of magnitude the impact a failure in the health care market would cause our economy. The bailout in the auto industry cost the federal government $80 billion over five years. Imagine **a similar failure in health care that prompted the federal government to propose a similar bailout program**. Let’s imagine the government felt the need to inject cash into hospital systems and doctors’ offices to keep them afloat like they did with General Motors. Since health care is five times the size of the auto industry**, a similar bailout could easily cost in excess of $400 billion**. That’s about the same amount of money the federal government spends on welfare programs. To pay for a bailout of the health care industry, **we’d have to eliminate all welfare programs in this country**. Can you imagine the impact it would have on the economy if there were suddenly none of the assistance programs so many have come to rely upon? **When the housing market crashed, it caused the loss of about 3 million jobs** from its peak employment level of 7.4 million in 1996. Again, if we transfer that experience to the health care market, we come up with a truly frightening scenario. **If health care lost 40 percent of its jobs** like housing did, **it would mean** **7.2 million jobs lost.** That’s more than four times the number of people who are employed by the entire auto industry — an industry that was considered too big to be allowed to fail. The loss of 7.2 million jobs would increase the unemployment rate by 5 percent. That means **we could easily top the all-time high unemployment rate for our country**. OK, now it’s time to take a deep breath. I’m not convinced that health care is fated to unavoidable failure and economic catastrophe. That’s a worst-case scenario. The problem is that at **even a fraction the severity of the auto or housing industry crises we’ve already faced, a health care collapse would still be devastating**. Health care can’t be allowed to continue its current inflationary trending. I believe we are on the verge of some major changes in health care, and that how they’re implemented will determine their impact on the overall economic picture in this country and around the world. **Continued failure to recognize the truth about health care will only cause the resulting market corrections to be worse than they need to be**. I don’t want to diminish the pain and anguish that many people caught up in the housing crash experienced. I think an argument can be made, though, that if **the health care market crashes and millions of people end up with no health care**, **the** resulting **fallout could be could be much worse than even the housing crisis**.

#### Extinction

**Tønnesson 15** Stein Research Professor, Peace Research Institute Oslo; Leader of East Asia Peace program, Uppsala University, 2015, “Deterrence, interdependence and Sino–US peace,” International Area Studies Review, Vol. 18, No. 3, p. 297-311

Several **recent works** on China and Sino–US relations **have made** substantial **contributions to the current understanding of how and under what circumstances** a combination of **nuclear deterrence and economic interdependence may reduce the risk of war between major powers**. At least four conclusions can be drawn from the review above: first, those who say that **interdependence may both inhibit and drive conflict** are right. **Interdependence raises the cost of conflict** for all sides **but** **asymmetrical or unbalanced dependencies and negative trade expectations** may **generate tensions leading to trade wars among inter-dependent states that** in turn **increase the risk of military conflict** (Copeland, 2015: 1, 14, 437; Roach, 2014). The risk may increase if one of the interdependent countries is governed by an inward-looking socio-economic coalition (Solingen, 2015); second, the risk of war between China and the US should not just be analysed bilaterally but include their allies and partners. Third party countries could drag China or the US into confrontation; third, in this context it is of some comfort that the three main economic powers in Northeast Asia (China, Japan and South Korea) are all deeply integrated economically through production networks within a global system of trade and finance (Ravenhill, 2014; Yoshimatsu, 2014: 576); and fourth, **decisions for war** and peace **are taken by very few people, who act on the basis of their future expectations**. International relations theory must be supplemented by foreign policy analysis in order to assess the value attributed by national decision-makers to economic development and their assessments of risks and opportunities. **If leaders** on either side of the Atlantic **begin to seriously fear or anticipate their own nation’s decline** then **they may blame** this on **external dependence, appeal to anti-foreign sentiments, contemplate the use of force to gain** respect or **credibility, adopt protectionist policies, and** ultimately **refuse to be deterred by** either **nuclear arms or prospects of socioeconomic calamities. Such a dangerous shift could happen abruptly**, i.e. under the instigation of actions by a third party – or against a third party. Yet as long as there is both nuclear deterrence and interdependence, the tensions **in East Asia** are unlikely to escalate to war. As Chan (2013) says, all states in the region are aware that they cannot count on support from either China or the US if they make provocative moves. **The greatest risk is not** that **a territorial dispute** leads to war under present circumstances **but that changes in the world economy alter those circumstances in ways that render inter-state peace more precarious**. If China and the US fail to rebalance their financial and trading relations (Roach, 2014) then a trade war could result, interrupting transnational production networks, provoking social distress, and exacerbating nationalist emotions. **This could have unforeseen consequences in the field of security, with nuclear deterrence remaining the only factor to protect the world from Armageddon, and unreliably so**. **Deterrence could lose its credibility**: one of the two **great powers might gamble that the other yield in a cyber-war or conventional** limited **war**, or third party countries might engage in conflict with each other, with a view to obliging Washington or Beijing to intervene.

## Case

### Fw

#### Consequences fail – A) Induction Fails – You only know induction works because past experiences have told you it has, but that is in itself a form of induction, so you use induction to prove induction – that’s circular B) Butterfly Effect – Every action has an infinite number of consequences that stem from it – me picking up a pen could cause nuclear war a hundred years down – you can’t quantify the infinite amount of pain and pleasure to come C) Aggregation fails – everyone has different feelings of pain and pleasure, so you can’t universalize that and say it’s good – it’s impossible to measure something that’s completely subjective D) Culpability – any consequence can lead to another consequence so it’s impossible to assign obligations since you can’t pinpoint a specific actor that caused a consequence.

### 1NC – Access/Supply

#### IP is not the bottleneck- raw materials and skills, which means no solvency and CP outweighs since mRNA exacerbates raw material and worker problems

Garde et al 5-6 [Damian Garde , Helen Branswell , and Matthew Herper May 6, 2021, 5-6-2021, "Waiver of patent rights on Covid vaccines may be mostly symbolic, for now," STAT, <https://www.statnews.com/2021/05/06/waiver-of-patent-rights-on-covid-19-vaccines-in-near-term-may-be-more-symbolic-than-substantive/>] // WW LD

The U.S.’s stunning endorsement of a proposal to waive Covid-19 vaccine patents has won plaudits for President Biden and roiled the global pharmaceutical industry. But, at least in the short term, it’s likely to be more of a symbolic milestone than a turning point in the pandemic. For months, proponents of the proposal have argued that the need to waive intellectual property protections was urgent given the growth of Covid cases in low- and middle-income countries, which have been largely left without the huge shipments of vaccine already purchased by wealthy countries. But patents alone don’t magically produce vaccines. Experts suggested the earliest the world could expect to see additional capacity flowing from the waiver — if it’s approved at the World Trade Organization — would be in 2022. Prashant Yadav, a supply chain expert and senior fellow at the Center for Global Development, said the biggest barrier to increasing the global vaccine supply is a lack of raw materials and facilities that manufacture the billions of doses the world needs. Temporarily suspending some intellectual property, as the U.S. proposes to do, would have little effect on those problems, he said. “My take is: By itself, it will not get us much benefit in increased manufacturing capacity,” Yadav said. “But as part of a larger package, it can.” That larger package would include wealthy nations like the U.S. mounting an Operation Warp Speed-style effort to invest in manufacturing in low-income countries, he said, using their vast financial resources to actually produce vaccine doses rather than solely targeting patents. Lawrence Gostin, director of the O’Neill Institute for National and Global Health Law at Georgetown Law, said the waiver is necessary but hardly sufficient. It will likely take months of international infighting before the proposal would take effect, he said, months during which would-be manufacturers would not have the right to start producing vaccines. “We’re not talking about any immediate help for India or Latin America or other countries going through an enormous spread of the virus,” Gostin said. “While they’re going to be negotiating the text, the virus will be mutating.” Even James Love, director of the nonprofit Knowledge Ecology International and a longtime advocate of intellectual property reform, acknowledges a patent waiver would be a valuable first step, not a panacea. The fairly narrow proposal would mostly allow countries to issue compulsory licenses, essentially allowing third-party manufacturers to make and sell other companies’ patented products, while also helping free up some information about how that manufacturing is done. But that, at least, could provide a financial incentive for those third parties to invest in vaccine production. “In our experience, when the legal barriers disappear and there’s a market, capacity increases faster than you would think,” he said. In October, Moderna vowed not to enforce its Covid-19-related patents for the duration of the pandemic, opening the door for manufacturers that might want to copy its vaccine. But to date, it’s unclear whether anyone has, despite the vaccine’s demonstrated efficacy and the worldwide demand for doses. That underscores the drug industry’s case that patents are just one facet of the complex process of producing vaccines. “There are currently no generic vaccines primarily because there are hundreds of process steps involved in the manufacturing of vaccines, and thousands of check points for testing to assure the quality and consistency of manufacturing. One may transfer the IP, but the transfer of skills is not that simple,” said Norman Baylor, who formerly headed the Food and Drug Administration’s Office of Vaccines Research and Review, and who is now president of Biologics Consulting. While there are factories around the world that can reliably produce generic Lipitor, vaccines like the ones from Pfizer and Moderna — using messenger RNA technology — require skilled expertise that even existing manufacturers are having trouble sourcing. “In such a setting, imagining that someone will have staff who can create a new site or refurbish or reconfigure an existing site to make mRNA [vaccine] is highly, highly unlikely,” Yadav said. There are already huge constraints on some of the raw materials and equipment used to make vaccines. Pfizer, for instance, had to appeal to the Biden administration to use the Defense Production Act to help it cut the line for in-demand materials necessary for manufacturing. Rajeev Venkayya, head of Takeda Vaccines — which is not producing its own Covid vaccine but is helping to make vaccine for Novavax — said supply shortages are impacting not just Covid vaccine production but the manufacture of other vaccines and biological products as well. “This is an industry-wide … looming crisis that will not at all be solved by more tech transfers,” Venkayya said. He suggested many of the people advocating for this move are viewing the issue through the prism of drug development, where lifting intellectual property restrictions can lead to an influx of successful generic manufacturing. “I think in this area there is an unrecognized gap in understanding of the complexities of vaccine manufacturing by many of the ‘experts’ that are discussing it,” said Venkayya, who stressed that while he believes they have good intentions, “nearly all of the people who are providing views on the value of removing patent protections have zero experience in vaccine development and manufacturing.” As Michelle McMurry-Heath, CEO of the trade group BIO, put it in a statement, “handing needy countries a recipe book without the ingredients, safeguards, and sizable workforce needed will not help people waiting for the vaccine.” Conversely, the drug industry claims that waiving patents, even temporarily, risks irreparable damage to the system of incentives that made the rapid development of Covid-19 vaccines possible. Stephen Ubl, CEO of the powerful lobbying group PhRMA, said in a statement that the idea “flies in the face of President Biden’s stated policy of building up American infrastructure and creating jobs by handing over American innovations to countries looking to undermine our leadership in biomedical discovery.” Umer Raffat, an equities analyst who tracks pharmaceuticals at Evercore ISI, thinks the risks to the drug industry might be overstated. It’s highly doubtful a patent waiver would set a precedent beyond vaccines, Raffat wrote in a note to investors, and the scarcity of raw materials combined with complexity of modern pharmaceutical manufacturing makes it unlikely that any third party could meaningfully compete with a multinational drug company. But the decision could nonetheless be a sea change for the way governments think about intellectual property — a hole in the IP dam that unleashes a tidal wave. Love, of Knowledge Ecology, said that the decision shifts the discussion around pandemic vaccines from countries believing there is nothing that can be done to a new position: “What do we need to do?” Said Love: “If you really think this is a big emergency, ‘what do we need to do’ should be the question, not just saying we can’t do anything.” That could, in turn, have long-term impacts on how countries view pharmaceutical intellectual property — and how much protection drug makers are provided on their own patents.

#### Pandemics won’t cause extinction

**GPP 2017** Global Priorities Project with the Future of Humanity Institute and Ministry for Foreign Affairs of Finland. The GPP aims to bring new analysis to the problem of how to allocate scarce resources between diverse global priorities such as education, health, enterprise, and future generations “Existential Risk Diplomacy and Governance” <https://www.fhi.ox.ac.uk/wp-content/uploads/Existential-Risks-2017-01-23.pdf>)rc//AK

For most of human history, natural pandemics have posed the greatest risk of mass global fatalities.37 However, there are some reasons to believe that natural pandemics are **very unlikely to cause human extinction**. Analysis of the International Union for Conservation of Nature (IUCN) red list database has shown that of the 833 recorded plant and animal species extinctions known to have occurred since 1500, **less than 4%** (31 species) were ascribed to infectious disease.38 None of the mammals and amphibians on this list were globally dispersed, and other factors aside from infectious disease also contributed to their extinction. It **therefore** seems that our own species, which is very **numerous, globally dispersed**, and capable of a **rational response** to problems, is very unlikely to be killed off by a natural pandemic. One underlying explanation for this is that highly lethal pathogens can kill their hosts before they have a chance to spread, so there is a **selective pressure for pathogens not to be highly lethal**. Therefore, pathogens are likely to co-evolve with their hosts rather than kill all possible hosts.39