# Marks R3 – 1NC v Marlborough JH

## 1

#### Interp – Medicines treat diseases. The aff must defend a reduction of IP protections for medicines.

**NLM ND,** (US National Library of Medicine, "Medicines: MedlinePlus," <https://medlineplus.gov/medicines.html>) KD

**Medicines can treat diseases and improve your health**. If you are like most people, you need to take medicine at some point in your life. You may need to take medicine every day, or you may only need to take medicine once in a while. Either way, you want to make sure that your medicines are safe, and that they will help you get better. In the United States, the Food and Drug Administration is in charge of ensuring that your prescription and [over-the-counter](https://medlineplus.gov/overthecountermedicines.html) medicines are safe and effective.

#### Violation –

#### Vaccines are not medicines; they are medical injections for future infections

**Elbe 10,** Stefan, Director of Centre for Global Health Policy, prof IR at the University of Sussex (May 3, 2010, “Security and Global Health: Towards the Medicalization of Insecurity,” pg.28) KD

Yet here too we must be careful not to overlook other types of medical interventions simultaneously pursued by the ‘social’ arm of modern medicine at the population level. **Vaccines** in particular **continue to be particularly important medical interventions** that repeatedly surface in a variety of different health security deliberations. Strictly speaking, **vaccines are not medicines** because they consist of small concentrations of disease-causing microbes (or their derivatives) used to enhance a person’ immune-response **to a future infection**. As a public health measure, vaccines have therefore also been largely sidelined in the existing medical literature. Yet, generally speaking, **vaccine** too **can be considered as medical interventions**. **That is certainly how the World Health Organization views them,** pointing out that ‘vaccines are among the most important medical interventions for reducing illness and deaths’ available today (WHO 2009a). Whereas pills and other therapies mark the tools of **clinical medicine**, vaccines play a crucial part in the arsenal of ‘**social’ medicine** and public health. Developing and rolling out of new vaccines against a range of current (and future) diseases therefore represents further evidence of how the rise of health security is also encouraging security to be practised through the introduction of new medica interventions in society.

#### Net Benefits –

Expanding the meaning of medicines lets them read plans about tons of medical inventions– **CRISPR, vaccines, cannabis, all medical lab equipment, chemo, meditation**, and many others—to which there are no unifying DAs. Two impacts –

1] they create a functionally unlimited topic where the neg can’t predict and prep for every aff. Limits is a VI for advocacy skills—they let the neg generate good prep, which forces the aff to defend their position against well-researched objections—creates deeper and better researched debates. Advocacy skills is a voter—tons of screwed up things in the world we can’t fix without advocating solutions.

Our interpretation still allows them to defend different medicines to create strong WTO standards – that means they get plenty of affs and education about the medical arena.

#### DTD on T – the debate shouldn’t have happened if they were abusive

#### Competing Interps on T since its binary and a question of models – Good enough isn’t good—there can be no reasonable interp of what the topic actually means

#### No RVIs on T – 1] Illogical—T is a gateway issue, winning T is meeting a baseline to have the debate to begin with 2] T is reactionary, they shouldn’t win for meeting their preround burden 3] Forcing the 1NC to go all in on theory kills substance education and neg flex—o/w on real world

## 2

#### The medical industry is colonial and biocapitalist in its structure – any attempt to reform the system misses the root cause

Chaudhuri et al 7/8/21 (Monica Mitra Chaudhuri, Orillia Soldiers' Memorial Hospital in Ontario, Canada. Laura Mkumba, Science Facilitation in North Carolina, Yadurshini Raveendran, Clinical Operations, FHI Clinical Inc, Robert D Smith Department of Anthropology and Sociology, Graduate Institute of International and Development Studies), “Decolonising global health: beyond ‘reformative’ roadmaps and towards decolonial thought”, BMJ Global Health, http://dx.doi.org/10.1136/bmjgh-2021-006371, <https://gh.bmj.com/content/6/7/e006371.full> NT

It is important to explicitly address white supremacy, racism, sexism, capitalism and other oppressive ideologies in the process of decolonisation. These concepts exist(ed) as rationalising centres in the formation of colonial epistemologies. **Scholars have noted how the global health industry’s predecessors, tropical medicine and international health, existed as tools to extract resources for capitalist agendas.** The industry was grounded on the premise of protecting colonisers from rampant, tropical illnesses as they pillaged land and resources around the globe. For example, the Gorgas campaign to eradicate yellow fever in Cuba in the early 1900s was concerned more with the health of foreign white Americans than the indigenous population. Many of whom were immune and did not consider it to be a priority health issue. Although such campaigns may have been successful in eradicating disease, they tended to be unwanted and enforced by military authority.5 The global health industry continues to be colonial in its structure, and this power dynamic is even more pronounced in the field now than in the past. The ongoing oppression and exploitation of racialised people, particularly black and indigenous have constructed modern medicine and public health and contributed to the economic gain of colonial powers. **In addition, enslaved and colonised people were used as test subjects for medical experimentation and medical and scientific advancement.** This is evidenced by J. Marion Sims, the ‘father of modern gynaecology,’ who experimented on unanesthetised, enslaved black women without their consent.6 Scholars have theorised how today we have entered an era of ‘biocapitalism;’ specifically, before health equity can be discussed, **the health of a body must first be made available to capitalism** as an object of intervention for monetary extraction.7 Today, the global health industry’s priorities are determined by and for the richest and most powerful nations. This has been demonstrated by the current COVID-19 pandemic and the inequities in the production and distribution of vaccines. Pharmaceutical monopolies and intellectual property restrictions have caused significant shortages and restrictions. A waiver of such intellectual property restrictions has been opposed by large pharmaceutical companies and rich nations. At the time of writing, the vast majority of vaccine doses have been purchased by wealthy nations, while poorer countries have been forced to wait their turn; or, depend on the ‘benevolence’ and ‘generosity’ of richer countries as they donate unused doses.8 The COVID-19 pandemic has again illustrated how white supremacy, racism, sexism and capitalism still remain tied as central, rationalising logics for the global health industry. For example, ‘lower-ranking’ healthcare workers such as custodial staff and nurses, who tend to be women of colour, have been disproportionately affected by the disease. While these workers have been essential in the medical response to the pandemic, they often received less institutional protection by not being provided adequate personal protection equipment.9 Examples of the contemporary global health industry indicate that colonial power was not merely a one-off event, but has persisted in a continuum that has reallocated these dimensions of power to new forms of health administration. This also indicates that, while the contours of capitalism are blatantly clear in some examples of COVID-19, they also become hidden within further structures such as **philanthro-capitalism**. At present, the Institute of Health Metrics and Evaluation (IHME)—largely funded by the Bill & Melinda Gates Foundation as well as pharmaceutical companies and the oil industry—has become a trusted source of global health data, eclipsing governments and the WHO.10 The IHME produces data that is based on complex modelling that cannot be replicated or adequately peer-reviewed due to a lack of transparency and the large capacity required to do so.11 Further, the Gates Foundation intervened in Oxford’s COVID-19 vaccine trial funding to mandate a commercial patent and at the time of writing continues to oppose intellectual property waivers.12 The concepts of white supremacy, racism, sexism and capitalism were not addressed in Khan et al’s commentary; yet, we believe these should be the centre of the discussion. Equity and justice were not, and currently are not, the aim of global health; despite the wide ranging utopic brandings of health equity programmes within the global health industry, **the underlying determinants produced by the conditions of possibility of white supremacy, racism, sexism and capitalism are still ever present, creating a power which forecloses the ability to realise health equity.** To realise a decolonised global health, if ever, we suggest these are the concepts to address. Now, we turn to Khan et al’s roadmap to review what this roadmap can and cannot do to the coloniality of the global health industry. Deconstructing the decolonising global health roadmap Khan et al propose a three-step roadmap which calls to (1) ‘identify specific ways in which organisations active in global health play interlinked roles in perpetuating inequity,’ (2) ‘publish a clear list of reforms required to decolonise global health practice’ and (3) ‘develop metrics to track the progress of organisations.’ To analyse this roadmap, we will work backwards from the third recommendation to analyse first what this may do to the practice of global health, and later to the distribution of power within global health. Our aim is to provide a grounded perspective that more thoroughly recognises the possibilities and limitations of these tools. Historically, the global health industry has prioritised the importance of health metrics since they were appropriated to ‘colonial health programmes that gave birth to statistics practices’.13 Because metrics work to create a ‘wide range of phenomena (that) are pushed inside and outside of visibility,‘ metrics become ‘a form of politics in their own right.’ As evidenced by the example of the IHME above, the definition of metrics can remain malleable to the ‘administrative and worldly aspirations’ of the coloniality of the global health industry to this day. Therefore, the colonial logics of capital are immediately inscribed into the epistemology and analysis of global health metrics. With capitalism providing the outlines of metrical logic, metrics become a paradoxical and inherently flawed tool to address the concept of coloniality. While we acknowledge that there is a role for metrics, **we worry that such quantification risks being coopted to preserve power structures in the name of decoloniality.** More so, we firmly believe that colonial histories and their intersections within the contemporary global health industry cannot be quantified and as such metrics cannot fully lead to a process of decolonisation.

#### Any attempt to work with the WTO ensures a revitalization of capitalism and prevents effective revolution against the state – they’ve misunderstood the root cause of their impacts.

Bachand 20. Remi Bachand is Professor of International Law at the University of Quebec. “What’s Behind the WTO Crisis? A Marxist Analysis” European Journal of International Law, Volume 31, Issue 3, August 2020, Pages 857–882, https://doi.org/10.1093/ejil/chaa054//vg

To offer our own explanation, we must recall two aspects of our theoretical framework. The first is Robert Cox’s claim113 that the function of international organizations is to ensure the creation and reproduction of hegemony. To be more accurate, they serve, if we follow his argument, to defend and to expand the ‘mode of production’ (we elected to substitute this term for the concept of ‘regime of accumulation’ that appears to be more appropriate for our means) of the dominant social classes of the dominant state. Joining this idea with the école de la régulation and social structure of accumulation theory writing114 according to which a regime of accumulation needs some regulation institutions to help resolve its contradictions (and ensure profits and capital accumulation to dominant social classes), we can conclude that the Geneva organization’s function in the US hegemonic order is to make sure that neoliberalism works well enough to provide a satisfying rate of profit for US capitalists. Going in that direction, Kristen Hopewell shows that the WTO’s creation participated in a shift in global governance from ‘embedded liberalism’ to neoliberalism115 and was slated to be an important part of that governance. Using the conceptual framework developed earlier, we can infer that the WTO was thus given a regulation function that was to ensure the operationalization of counteracting factors to the fall of the rate of profit for US capitalists. Now, as we have seen, the US rate of profit has been extremely unstable in the last two decades and Chinese expansion (and that of other ‘emerging countries’) allows one to predict that the situation could easily worsen in the future. Consequently, it should come as no surprise that the crisis that has been striking neoliberalism for the last 20 years may also result in a crisis of the organizations that are supposed to manage its contradictions, especially the WTO. Concretely, this organization seems unable to fulfil its regulatory function anymore, which is to ensure US capitalists a good rate of profit and opportunities to operationalize enough counteracting factors to negate its fall. To go further, we now need to return to Stephen Gill’s claim that the function of an international organization is to limit political and economic possibilities. It is to exclude, in other words, options that are incompatible with the social order promoted by the hegemon from what is possible and achievable.116 Effectively, the WTO was created to play such a role. Indeed, promoting liberalization of goods and services, protecting (notably intellectual) property rights and attacking subsidies (in non-agriculture sectors), just to give a few examples, all serve to severely reduce state interventions into the economy and to circumscribe or at least to strongly impede the turn towards an alternative model to neoliberalism. In conformity with this, when China adhered to the WTO in 2001, there was a strong hope from other Members that it would adopt important economic reforms. A single example should be enough to show this optimism. Since other WTO Members feared that the Chinese economic structure gave it advantages in the short term, its protocol of accession included some particular ways to determine price comparability under anti-dumping rules,117 as well as to identify and determine the subsidy benefit under the Agreement on subsidies and countervailing measures.118 Interestingly though, these provisions were expected to end the moment China could establish itself as a market economy or, ‘[i]n any event […] 15 years after the date of accession’.119 After that delay, China was expected to have sufficiently changed its economy so that such a rule would not be needed any more. Yet, and unfortunately for these other Members, the changes were not what they expected. To quote Andrew Lang: the expectation of its most important trading partners was evidently that its economic system would evolve in the direction of marketization, perhaps at an accelerated rate. However, economic reform in China has in fact taken place in an experimental and unexpected manner, with the result that the emergent form of market capitalism appears to Western eyes as an unfamiliar hybrid, often termed ‘State Capitalism’.120 Actually, their discontent comes not only from the objective and observable fact that the WTO has been unable to force China to radically change its regime of accumulation the way it wanted; it is also related to some (controversial) AB rulings concerning the implication between state and economy.

#### The problem isn’t with protections, but with intellectual property protection itself– IPP changes science into a mode of production and ensures the continuation of neolib.

Drahos nd “A philosophy of intellectual property” http://press-files.anu.edu.au/downloads/press/n1902/html/imprint.xhtml?referer=&page=2#//vg

Intellectual property law is critical to her successful passage. It would, however, be a mistake to think that intellectual property law simply creates private property rights in the abstract object and so is no different from property rights in material objects. When he comes to analyse the exchange of commodities, Marx makes it clear that property and contract are necessary juridical phenomena for the exchange of commodities, but these are only reflections of underlying economic relations in the process of exchange.60 In fact one might go further and observe that what matters for the exchange of commodities is the recognition of rights of control and that these do not necessarily entail the existence of property rights. Commodities can exist and be traded without the existence of formal property rights. Presumably trade can take place in a state of nature. All that is required is some physical control over the goods. For our purposes, the point to observe is that in the case of material commodities the existence of the commodity does not depend on the existence of property rights. But this is not the case for abstract objects. Once copyright in musical works becomes part of law both our pianist and our piano maker can be said to produce commodities. But it is only the pianist who depends on intellectual property for the creation of her commodity. In the absence of an intellectual property right she is left to sell her concert performances (an unproductive service, according to Marx’s theory). Without intellectual property there simply would be no abstract object which participants in the market could recognise and make the subject of trade. The argument we have put can be stated in the following propositions. The existence of physical commodities does not depend on law. The existence of abstract objects does. Commerce in physical commodities and abstract objects depends on a scheme of property rights and contract. Marx’s contradiction is that he sees labour as a value-producing commodity and yet does not recognise it as such when it is provided as a service or when it takes the form of an abstract object (in our sense of the term). Now we are in a better position to see how intellectual property accomplishes the task of integrating creative labour into the capitalist mode of production. Marx more clearly than anyone sees that capitalism is a mode of production in which commodities are amassed on a historically unprecedented scale. Capitalism is not, however, the only mode of production which produces commodities. This is true of earlier forms of production. Where capitalism is distinctive is that it is a system in which the labour power of one class has become a circulating commodity available for purchase by another class, the members of both classes being formally free to buy and sell commodities.61 It is the condition of being able to readily acquire labour power that gives capitalism its Midas touch in economic production. Our argument has been that capitalism increasingly comes to depend on creative labour. Individual, rational capitalists, subject to competitive pressures, begin to seek out creative labour, for it is creative labour that is the source of much-wanted innovation. We have deliberately steered away from trying to explain this search in terms of the theory of surplus value. Rather our position is this: the search by individual capitalists for creative labour is motivated by the desire for control and ownership of the abstract object so as to gain a competitive edge over a rival. In the next chapter we shall see that the ownership of abstract objects can function to relieve individuals from competitive pressures. This provides another incentive for individual capitalists to chase the ownership of abstract objects. Clearly, if abstract objects exist under conditions of positive inclusive community (that is, they belong to all) the incentives for individual capitalists to pursue them will be considerably reduced. So one task of intellectual property law, from the perspective of the industrialist, is to create conditions of negative community so that the ownership of abstract objects is possible. Intellectual property, in commodifying universal mental constructs, dramatically increases the commodity horizons of capitalism. Intellectual property is perhaps a sign that the commodity nature of capitalism never stops evolving. Marx thought that the commodity of labour power was the form of commodity that was distinctive to capitalism. Our analysis suggests that understanding the productive powers of capitalism does not stop with the commodification of labour power. Through the creation of abstract objects, intellectual property law provides capitalism with another distinctive commodity form and, potentially at least, another means to its further expansion. By creating abstract objects intellectual property brings creative labour directly into the relations of production. Capitalism can continue its historically spectacular commodity production run because through intellectual property law it has re-engineered the possibilities of commodity production. Not only that, creative labour, through the creation of more efficient means of production, actually diminishes the role of physical labour. The aim of the industrialist is no longer to control physical labour through contract and industrial relations law but to control creative labour through intellectual property law. One last remark before we close this section. Intellectual property, we have argued, is fundamental to the task of integrating creative labour and abstract objects into capitalism’s production processes. This argument does not mean that we abandon Marx’s view about the fundamental materiality of production. Much of the literature on post-industrial society or post-capitalist society tends to over-emphasise the role of knowledge in production in order to obtain a convenient and bright dividing line between capitalist and post-capitalist epochs.62 Drucker offers a typical characterisation of this: ‘The basic economic resource – “the means of production”, to use the economist’s term – is no longer capital, nor natural resources (the economist’s “land”), nor “labour”. It is and will be knowledge.’63 However, our analysis of the role of the abstract object in production, when placed in the context of Marx’s overall theory, suggests that perhaps good old-fashioned industrial capitalism has a way to run before it is given its last rites by scholars. Our reasons for thinking this are these. When he comes to discuss the role of physical forces (the laws of nature) Marx says that these cost the capitalist nothing once they are discovered.64 But in order for these laws to enter the productive life of capital they must be consumed productively and that, for Marx, requires that they be mediated by or be embodied in some item of hardware, some industrial article: ‘A water-wheel is necessary to exploit the force of water, and a steam-engine to exploit the elasticity of steam.’65 Abstract objects cannot just simply step into production. We now have the makings of a paradox. The greater the role of abstract objects in capitalist production, the greater the production of the hardware of technology there needs to be. Abstract objects propel capitalism into ever-higher levels of industrial production of physical objects. Furthermore it is clear that for Marx each new generation of technologies carries with it greater and greater investment costs. Manual tools are cheap. Machine tools are not – and computer-controlled machine tools, even less so. The rough shape of our paradox is that abstract objects, which once in existence cost nothing or little, when absorbed into capitalist production cost capitalists a great deal in terms of investment. Intangible objects generate ever-higher levels of tangible commodities. It is industrial commodity production that abstract objects help stimulate, with the result that fewer workers are employed in that production directly (because of automation) and more services are required to match the higher levels of production. For the individual capitalist there is no choice about the levels of investment needed to stay in what has become a technological race. Investment is forced upon him by competition.66 In language not intended to comfort, Marx says, ‘one capitalist always kills many’.67 The upshot of our remarks is this. We must not make intellectual property reveal more than is there. For post-industrial scholars, the intellectual property phenomenon seems to offer support for their pronouncements of radical social transformation. Our position is a more cautious one. Through intellectual property law, capitalism engineers new production possibilities for itself.68 Creative labour is brought into the fold of productive labour, but the transformative possibilities of this remain for the time being grounded in a paradigm of commodity accumulation. So-called ‘knowledge societies’ have, through new communications and information technologies, the opportunity to reorganise the work patterns of their individual citizens in ways that liberate those citizens from conditions of alienated labour. But capitalist knowledge societies, if Marx is right about the commodity nature of capitalism, will not take that opportunity. Abstract objects are absorbed into production as part of a cycle of commodity production. Abstract objects are used to continue capitalism’s obsession with, to use modern parlance, the hardware of technology. Inequalities of an apparently new kind (for example, the information-poor versus the information-rich) appear, but in essence they are old forms of inequalities patterned around the ownership of productive forces. ‘Knowledge workers’ end up more like other workers, for like other wage-labourers they come to find themselves in conditions of alienated labour. The impact of intellectual property norms upon the activities of the scientific community provides an example of the way in which the positive expressive activity of scientific research and discovery becomes alienated labour. Natural science becomes part of the natural forces of production because individual capitalists realise they cannot survive without constantly ‘revolutionising the instruments of production’.69 Modern industry draws on scientific knowledge to produce a ‘science of technology’.70 This science of technology is derived from many earlier separate forms of production such as trade guilds and craft industries. Modern industry takes the knowledge and know-how which has been locked away in these secretive, almost ritualistic enterprises and applies it to improving production. The modern form of the science of technology as we know it seems to be, for Marx, born out of industry.71 Once in existence, its utility is apparent to all capitalists who are all constantly seeking to improve their production techniques. Science now finds itself press-ganged into capital’s service. The normative practices of scientists begin to change. Traditionally, scientists organised themselves around the goal of extending knowledge. This goal is served by an ethos of science which consists of four key values: universalism, communism, disinterestedness and organised scepticism.72 Intellectual property, we have argued, plays a critical role in integrating creative labour into production. Through this process, intellectual property norms come to change the ethos of science.73 (For Marx the change would only be a symptom of deeper causes.) The ethos of science rewards the sharing of information, the public communication of ideas (the incentives being prizes, scientific immortality, recognition and so on). The existence of an intellectual commons is seen to be crucial to successful individual work. This public domain attitude of science begins to change as intellectual property norms come to govern scientific labour. Open communication and the exchange of ideas are no longer so strongly endorsed by scientists because they might, amongst other things, defeat a proprietary claim to the knowledge.74 The direction of scientific research becomes increasingly determined by state-based priorities expressed through intellectual property rights. The fact that ideas can in one way or another be owned is itself symbolic of the fact that scientific labour has become alienated labour.

#### Best studies prove capitalism causes war, violence, decreased value to life, environmental destruction and extinction – it’s the greatest threat to society and is an a priori impact under any framework.

Ahmed 20.[Dr. Nafeez Ahmed is a bestselling author, investigative journalist, international security scholar, policy expert, film-maker, strategy & communications consultant, and change activist. The focus of Ahmed's work is to catalyse social change in the public interest by harnessing radical, systemic approaches to understanding the interconnections between the world's biggest problems, while developing and highlighting holistic strategies for social transformation. Whether it be foreign policy and terrorism, climate change and energy, or food and the economy, Nafeez deploys the techniques of critical, rigorous and interdisciplinary analysis to join the dots and challenge power, with a view to bring forth constructive change.] June 24th, 2020. Accessed 3/3/2021. “Capitalism is Destroying ‘Safe Operating Space’ for Humanity, Warn Scientists” <https://www.resilience.org/stories/2020-06-24/capitalism-is-destroying-safe-operating-space-for-humanity-warn-scientists//vg>

The COVID19 pandemic has exposed a strange anomaly in the global economy. If it doesn’t keep growing endlessly, it just breaks. Grow, or die. But there’s a deeper problem. New scientific research confirms that capitalism’s structural obsession with endless growth is destroying the very conditions for human survival on planet Earth. A landmark study in the journal Nature Communications, “Scientists’ warning on affluence” — by scientists in Australia, Switzerland and the UK — concludes that the most fundamental driver of environmental destruction is the overconsumption of the super-rich. This factor lies over and above other factors like fossil fuel consumption, industrial agriculture and deforestation: because it is overconsumption by the super-rich which is the chief driver of these other factors breaching key planetary boundaries. The paper notes that the richest 10 percent of people are responsible for up to 43 percent of destructive global environmental impacts. In contrast, the poorest 10 percent in the world are responsible just around 5 percent of these environmental impacts: The new paper is authored by Thomas Wiedmann of UNSW Sydney’s School of Civil and Environmental Engineering, Manfred Lenzen of the University of Sydney’s School of Physics, Lorenz T. Keysser of ETH Zürich’s Department of Environmental Systems Science, and Julia K. Steinberger of Leeds University’s School of Earth and Environment. It confirms that global structural inequalities in the distribution of wealth are intimately related to an escalating environmental crisis threatening the very existence of human societies. Synthesising knowledge from across the scientific community, the paper identifies capitalism as the main cause behind “alarming trends of environmental degradation” which now pose “existential threats to natural systems, economies and societies.” The paper concludes: “It is clear that prevailing capitalist, growth-driven economic systems have not only increased affluence since World War II, but have led to enormous increases in inequality, financial instability, resource consumption and environmental pressures on vital earth support systems.” Capitalism and the pandemic Thanks to the way capitalism works, the paper shows, the super-rich are incentivised to keep getting richer — at the expense of the health of our societies and the planet overall. The research provides an important scientific context for how we can understand many earlier scientific studies revealing that industrial expansion has hugely increased the risks of new disease outbreaks. Just last April, a paper in Landscape Ecology found that deforestation driven by increased demand for consumption of agricultural commodities or beef have increased the probability of ‘zoonotic’ diseases (exotic diseases circulating amongst animals) jumping to humans. This is because industrial expansion, driven by capitalist pressures, has intensified the encroachment of human activities on wildlife and natural ecosystems. Two years ago, another study in Frontiers of Microbiology concluded presciently that accelerating deforestation due to “demographic growth” and the associated expansion of “farming, logging, and hunting”, is dangerously transforming rural environments. More bat species carrying exotic viruses have ended up next to human dwellings, the study said. This is increasing “the risk of transmission of viruses through direct contact, domestic animal infection, or contamination by urine or faeces.” It is difficult to avoid the conclusion that the COVID19 pandemic thus emerged directly from these rapidly growing impacts of human activities. As the new paper in Nature Communications confirms, these impacts have accelerated in the context of the fundamental operations of industrial capitalism. Eroding the ‘safe operating space’ The result is that capitalism is causing human societies to increasingly breach key planetary boundaries, such as land-use change, biosphere integrity and climate change. Remaining within these boundaries is essential to maintain what scientists describe as a “safe operating space” for human civilization. If those key ecosystems are disrupted, that “safe operating space” will begin to erode. The global impacts of the COVID19 pandemic are yet another clear indication that this process of erosion has already begun. “The evidence is clear,” write Weidmann and his co-authors. “Long-term and concurrent human and planetary wellbeing will not be achieved in the Anthropocene if affluent overconsumption continues, spurred by economic systems that exploit nature and humans. We find that, to a large extent, the affluent lifestyles of the world’s rich determine and drive global environmental and social impact. Moreover, international trade mechanisms allow the rich world to displace its impact to the global poor.” The new scientific research thus confirms that the normal functioning of capitalism is eroding the ‘safe space’ by which human civilisation is able to survive. The structures The paper also sets out how this is happening in some detail. The super-rich basically end up driving this destructive system forward in three key ways. Firstly, they are directly responsible for “biophysical resource use… through high consumption.” Secondly, they are “members of powerful factions of the capitalist class.” Thirdly, due to that positioning, they end up “driving consumption norms across the population.” But perhaps the most important insight of the paper is not that this is purely because the super-rich are especially evil or terrible compared to the rest of the population — but because of the systemic pressures produced by capitalist structures. The authors point out that: “Growth imperatives are active at multiple levels, making the pursuit of economic growth (net investment, i.e. investment above depreciation) a necessity for different actors and leading to social and economic instability in the absence of it.” At the core of capitalism, the paper observes, is a fundamental social relationship defining the way working people are systemically marginalised from access to the productive resources of the earth, along with the mechanisms used to extract these resources and produce goods and services. This means that to survive economically in this system, certain behavioural patterns become not just normalised, but seemingly entirely rational — at least from a limited perspective that ignores wider societal and environmental consequences. In the words of the authors: “In capitalism, workers are separated from the means of production, implying that they must compete in labour markets to sell their labour power to capitalists in order to earn a living.” Meanwhile, firms which own and control these means of production “need to compete in the market, leading to a necessity to reinvest profits into more efficient production processes to minimise costs (e.g. through replacing human labour power with machines and positive returns to scale), innovation of new products and/or advertising to convince consumers to buy more.” If a firm fails to remain competitive through such behaviours, “it either goes bankrupt or is taken over by a more successful business. Under normal economic conditions, this capitalist competition is expected to lead to aggregate growth dynamics.” The irony is that, as the paper also shows, the “affluence” accumulated by the super-rich isn’t correlated with happiness or well-being. Restructure The “hegemonic” dominance of global capitalism, then, is the principal obstacle to the systemic transformation needed to reduce overconsumption. So it’s not enough to simply try to “green” current consumption through technologies like renewable energy — we need to actually reduce our environmental impacts by changing our behaviours with a focus on cutting back our use of planetary resources: “Not only can a sufficient decoupling of environmental and detrimental social impacts from economic growth not be achieved by technological innovation alone, but also the profit-driven mechanism of prevailing economic systems prevents the necessary reduction of impacts and resource utilisation per se.” The good news is that it doesn’t have to be this way. The paper reviews a range of “bottom-up studies” showing that dramatic reductions in our material footprint are perfectly possible while still maintaining good material living standards. In India, Brazil and South Africa, “decent living standards” can be supported “with around 90 percent less per-capita energy use than currently consumed in affluent countries.” Similar possible reductions are feasible for modern industrial economies such as Australia and the US. By becoming aware of how the wider economic system incentivises behaviour that is destructive of human societies and planetary ecosystems critical for human survival, both ordinary workers and more wealthy sectors — including the super-rich — can work toward rewriting the global economic operating system. This can be done by restructuring ownership in firms, equalising relations with workers, and intentionally reorganising the way decisions are made about investment priorities. The paper points out that citizens and communities have a crucial role to play in getting organised, upgrading efforts for public education about these key issues, and experimenting with new ways to work together in bringing about “social tipping points” — points at which social action can catalyse mass change. While a sense of doom and apathy about the prospects for such change is understandable, mounting evidence based on systems science suggests that global capitalism as we know it is in a state of protracted crisis and collapse that began some decades ago. This research strongly supports the view that as industrial civilization reaches the last stages of its systemic life-cycle, there is unprecedented and increasing opportunity for small-scale actions and efforts to have large system-wide impacts. The new paper shows that the need for joined-up action is paramount: structural racism, environmental crisis, global inequalities are not really separate crises — but different facets of human civilization’s broken relationship with nature. Yet, of course, the biggest takeaway is that those who bear most responsibility for environmental destruction — those who hold the most wealth in our societies — urgently need to wake up to how their narrow models of life are, quite literally, destroying the foundations for human survival over the coming decades.

#### The alternative is to embrace non-reformist reform and undermine the colonial, capitalist logics of global health industry

Chaudhuri et al 7/8/21 (Monica Mitra Chaudhuri, Orillia Soldiers' Memorial Hospital in Ontario, Canada. Laura Mkumba, Science Facilitation in North Carolina, Yadurshini Raveendran, Clinical Operations, FHI Clinical Inc, Robert D Smith Department of Anthropology and Sociology, Graduate Institute of International and Development Studies), “Decolonising global health: beyond ‘reformative’ roadmaps and towards decolonial thought”, BMJ Global Health, http://dx.doi.org/10.1136/bmjgh-2021-006371, <https://gh.bmj.com/content/6/7/e006371.full> NT

In this final section, we suggest different conceptual frames for decolonisation. Thus far in the decolonising global health literature, decolonisation often appears to insinuate white supremacist, racist, sexist and capitalist structures of oppressive power. If this is the case, in addition to Fanon, it may be helpful to engage other social theorists in their attempts to analyse oppression and power. However, we caution that our explanation of these theories in this commentary is simplified; to fully comprehend and make use of these theories within the global health industry would require time spent carefully reading, and processes of institutional and self-introspection alongside this theory. First, Michel Foucault’s analyses of power may be useful to think with to understand how power functions within the global health industry. Specifically, Foucault speaks of the emergence of ‘biopower’ in the ability of governments—national or otherwise —to make worthy populations live and let unworthy populations die.14 Further, Achille Mbembe speaks of necropower, in the ability of governments to kill unworthy populations while making worthy populations live.15 Calling on these theories, with the analytical lens of the aforementioned concepts of white supremacy, racism, sexism and capitalism, organisations must comprehend where they exist within these structures of power, and how they contribute to them. As opposed to a selective or industry wide check-list, this would push for a necessary analysis of power embedded within individuals and organisations. Analysing the intersections of power within particular organisations may provide more scope for ‘reform.’ However, it is essential to avoid reconstructing existing systems of power and as such failing to remove colonial power. Instead, it would be more useful to **embrace concepts such as ‘non-reformist reform.**’ As defined by Gorz, these are reforms that aim ‘**to break it up, to restrict it, to create counter-powers** which, instead of creating new equilibrium, **undermine its very foundations**.’16 To put non-reformist reforms into practice Paulo Freire’s The Pedagogy of the Oppressed suggests environments of radical openness to alterity, whereby a diverse group of individuals are engaged in decision making processes and voices are provided with equal merit and consideration regardless of the form of presentation.17 Through this lens, the Global Health industry must open up further spaces for voice, and shift away from the Eurocentric cultures insisting on ‘professional’ dress, presentation of speech, modes of argumentation and ‘correct’ formats and literature to be used when disseminating ideas. To create such environments of radical openness, representation must be brought forth through reparations, repatriation of indigenous land, abolition of oppressive systems and more. The conceptual frameworks of (post)colonial theory, power and oppression must be incorporated into discussions about decolonising global health if the movement is serious about its aims. Each of the frameworks detailed here can begin to guide the global health industry in undergoing the process of decolonisation to realise Fanon’s moment of colonial departure. Fanon’s reference to the ‘thing,’ today perhaps best recognised in the global health industry’s ‘beneficiary,’ can be analysed through the concepts of biopower and necropower that detail how a population comes to be seen as (un)worthy. Using Fanon’s language, ‘to completely call into question the colonial situation,’ dismantling the colonial logics of the global health industry may be productively thought of by ‘undermining its very foundations’ in Gorz’s non-reformist reform. Finally, to ‘transform spectators into privileged actors’ as Fanon calls for, the Global Health industry can think with Freire to create environments of radical openness to alterity. **The danger of not being responsive to these theories is that ‘reform’ will remain confined to the epistemologically familiar—more often than not in the form of the reappropriation of violent colonial technologies.** Nonetheless, even when calling on these theories, we still urge for a form of continuous reflection of the intersections of power. What may succeed in reducing oppression somewhere may further it elsewhere, and must be continuously reflected on throughout any attempted decolonial process. With the haste of hopeful optimism, we might also begin to imagine that a fully decolonised global health is when there is no global health industry at all—perhaps this could be the ‘moment’ of departure.

#### The ROTJ is to break down neoliberal systems of power. Debate should be a pedagogical space in which to produce emancipatory education and nurture radical agency—our framing is a pre-requisite to ethical political engagement, necessary for anti-capitalist solidarity, and determines whether the project of the 1AC is a good idea.

## Case

**Monopolies still control manufacturing capacity of developing countries post-aff – this thumps aff solvency - rehighlighting of 1ac ev proves (in green)**

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

In the press and on Capitol Hill, Big Pharma is pushing a Big Lie. The claim is that a lack of manufacturing capacity, not pharmaceutical corporation’s monopoly intellectual property (IP) protections, are thwarting greater production of COVID-19 vaccines. A related argument, with decidedly racist overtones, is that COVID-19 vaccines are too complicated for producers in developing countries to make successfully. The reality is that in every region of the world, there are multiple producers that could be greatly increasing global vaccine supplies if the technology and know-how were shared.¶ Just in Africa, “Biovac and Aspen in South Africa, Institute Pasteur in Senegal, and Vacsera in Egypt could rapidly retool factories to make mRNA vaccines,” notes a group of medicine-production experts in a recent Foreign Policy article. Indeed, a former Moderna director of chemistry revealed that with enough technology transfer and know- how-sharing, a modern factory should be able to get mRNA vaccine production online in, at most, three to four months. The Serum Institute in India already is slated to produce the AstraZeneca and Novavax vaccines, while Moderna declined to partner with a qualified Bangladeshi vaccine maker, claiming its engineers were too busy to focus beyond U.S. and EU production. In Latin America, existing facilities in Brazil, Argentina and Mexico under contract to monopoly holders are already pumping out vials, and in countries like Chile and Colombia, the pharmaceutical industry has expressed willingness to kickstart vaccine production.¶ Existing and planned contract manufacturing arrangements prove facilities in developing countries certainly can produce COVID-19 vaccines. But unless technology and know-how are shared more openly, the monopoly holders maintain absolute control over how much can be produced, what the price is and where it will be sold. So, 91% of the Johnson & Johnson vaccine that South African firm Aspen will manufacture must be shipped for sale outside South Africa, according to South Africa’s WTO Counselor. And the Serum Institute is barred from supplying upper- middle-income and high-income countries with the AstraZeneca vaccines it makes, meaning AstraZeneca can artificially segment the global market and ensure that it is the only supplier of the Oxford vaccine in the most profitable national markets, according to Doctors Without Borders.¶ Most critically, there simply is not enough supply to go around now or for every year in the future during which the whole world will need regular COVID vaccination to keep the virus under control. Thankfully, scores of countries are ready to invest in building new or repurposing existing production capacity. That is why more than 100 countries support a waiver of the WTO’s Agreement on Trade-Related Aspects of Intellectual Property (TRIPS). These countries seek certainty that if they adjust their domestic laws and practices to support that investment by providing access to the necessary technology, they will not get dragged into expansive WTO litigation or face retaliatory sanctions from countries claiming WTO violations. The waiver will also serve as a worldwide buffer against the political pressure and legal harassment to which Big Pharma subjects countries that seek to promote affordable access to medicines.¶ In many countries, the regulatory authorities that had to approve domestic use of various vaccines and other COVID-related medical products have significant information from the firms that they could share with skilled teams from local universities, government agencies and pharmaceutical manufacturers — if they were not obliged by WTO rules to guarantee monopoly control of it. And world-class pharmaceutical firms already are making generic versions of new cutting-edge HIV-AIDS medicines and pumping out vaccines based on the platform that, for instance, the Johnson & Johnson vaccine uses.

#### The aff’s focus on the government is an act of deflection that sidelines the role of Capital and fails to recognize the centerlessness of global capitalism.

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Although excoriated by both neoliberalism and neoconservativism, the concept of the Nanny State continues to haunt capitalist realism. The specter of big government plays an essential libidinal function for capitalist realism. It is there to be blamed precisely for its **failure to act as a centralizing power**, the anger directed at it much like the fury Thomas Hardy supposedly spat at God for not existing. ‘Time and again’, James Meek observed in an LRB piece on water privatization in Britain, ‘Conservative and Labor governments have discovered that when they give powers to private companies, and those private companies screw up, voters blame the government for giving the powers away, rather than the companies for misusing them’. Meek was visiting Tewkesbury, one of the British towns that was the victim of serious flooding in 2007, a year after the disaster. On the face of it, the flooding and the consequent failure of services was the fault of privatized water companies and house builders, yet Meek found that this was not the way that most of the local residents saw it. ‘In Tewkesbury’, Meeks wrote, [block quotation starts] in general there is more hostility towards the government, the council and the Environment Agency for not stopping house builders than there is towards house builders for building houses, or buyers for buying them. When insurers raise their premiums, more blame is directed at the government for not spending enough on flood defences than at insurers for raising the premiums, or at people who choose to live in a flood-prone valley but don’t like paying extra for it. [block quotation ends] This syndrome was repeated on a much grander scale with a disaster of a different kind – the bank crisis of 2008. The media focus was on the excesses of individual bankers and on the government’s handling of the crisis, not on the systemic causes of the crisis. I don’t for a moment want to excuse New Labour for its part in such disasters, but it has to be recognized that **focus on government,**like the focus on immoral individuals,**is an act of deflection**. Scapegoating an impotent government (running around to clean up the messes made by its business friends) arises from bad faith, from a continuing hostility to the Nanny State that nevertheless goes alongside a refusal to accept the consequences of the **sidelining of government in global capitalism** – a sign, perhaps, that, at the level of the political unconscious, it is impossible to accept that **there are no overall controllers**, that the closest thing we have to ruling powers now are nebulous, unaccountable interests exercising corporate irresponsibility. A case of fetishist disavowal, perhaps – ‘we know perfectly well that the government is not pulling the strings, but nevertheless...’ The disavowal happens in part because the centerlessness of global capitalism is radically unthinkable. Although people are interpellated now as consumers – and, as Wendy Brown and others have pointed out, government itself is presented as a kind of commodity or service – they still cannot help but think of themselves as (if they were) citizens.

#### Off the framing args – 1] reform hasn’t ended cap despite 30 years of it – rather, reform is the state’s attempt to placate the revolutionaries while disguising their contuined efforts to prop up cap 2]

#### Squo thumps -- companies aren’t willing to sell vaccine doses to governments for less – Moderna proves

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Vaccine maker Moderna is resisting pressure from the White House to increase international donations of its Covid-19 shot in 2022, according to three people with direct knowledge of the matter. The Biden administration has urged Moderna for months to increase its production domestically, in an attempt to help deliver on the president’s pledge to make the U.S. “an arsenal of vaccines” for the world. The White House has donated tens of millions of Moderna doses abroad. Its push for more comes despite the company’s agreement to supply 500 million doses to low- and middle-income countries, including 34 million doses this year, through the international vaccine aid program known as the COVAX Facility. **Moderna, which developed its shot with scientific and financial help from the government, has shied away making additional commitments**, the two sources said. The company has cited worries about its ability to balance its domestic and international responsibilities. But administration officials privately believe the reluctance is also driven in part by financial concerns: If Moderna agreed to sell the Biden administration doses for poorer countries it would likely be asked to do so at cost, one source said, putting pressure on its bottom line. The company’s stance has infuriated top Biden health officials, who have pressed Moderna executives in recent meetings that one person characterized as “very intense.” **The deliberations between the federal government and Moderna could undermine the Biden administration’s efforts to ship more doses overseas** as it begins to roll out booster shots to Americans.

#### Presumption - WTO already did the AFF – Doha Declaration proves

World Trade Organization 17 (World Trade Organization – you should know who this is, “WTO IP rules amended to ease poor countries’ access to affordable medicines”, <https://www.wto.org/english/news_e/news17_e/trip_23jan17_e.htm>, 23 January 2017, EmmieeM)

An amendment to the agreement on intellectual property entered into force today (23 January) securing for developing countries a legal pathway to access affordable medicines under WTO rules.

The amendment to the WTO Trade Related Aspects of Intellectual Property Rights (TRIPS) Agreement marks the first time since the organization opened its doors in 1995 that WTO accords have been amended.

The WTO Secretariat has received in recent days notifications from five members that they have ratified the protocol amending the WTO TRIPS Agreement. These notifications — from Burkina Faso, Nigeria, Liechtenstein, the United Arab Emirates and Viet Nam — brought to two-thirds the number of WTO members which have now ratified the amendment. The two-thirds threshold was needed to formally bring the amendment into the TRIPS Agreement.

Members took the decision to amend the TRIPS Agreement specifically to adapt the rules of the global trading system to the public health needs of people in poor countries. This action follows repeated calls from the multilateral system for acceptance of the amendment, most recently by the United Nations General Assembly High-Level Meeting on Ending AIDS in June 2016.

“This is an extremely important amendment. It gives legal certainty that generic medicines can be exported at reasonable prices to satisfy the needs of countries with no pharmaceutical production capacity, or those with limited capacity. By doing so, it helps the most vulnerable access the drugs that meet their needs, helping to deal with diseases such as HIV/AIDS, tuberculosis or malaria, as well as other epidemics. I am delighted that WTO members have now followed through on their commitment and brought this important measure into force,” said WTO Director-General Roberto Azevêdo. In video statements available here, some of the key players share their thoughts on the TRIPS amendment.

Unanimously adopted by WTO members in 2005, the protocol amending the TRIPS Agreement makes permanent a mechanism to ease poorer WTO members’ access to affordable generic medicines produced in other countries. The amendment empowers importing developing and least-developed countries facing public health problems and lacking the capacity to produce drugs generically to seek such medicines from third country producers under "compulsory licensing" arrangements. Normally, most medicines produced under compulsory licences can only be provided to the domestic market in the country where they are produced. This amendment allows exporting countries to grant compulsory licences to generic suppliers exclusively for the purpose of manufacturing and exporting needed medicines to countries lacking production capacity.

“As important as trade policy is, health and well-being must take precedence,” said Amina Mohamed, Kenya’s Foreign Minister who chaired the WTO General Council at the time when the amendment was approved in December 2005. “WTO members recognise this and have proven how seriously they take health issues by ratifying and putting into force an amendment to WTO rules which will facilitate access to essential medicines in low income countries.”

The amendment provides a secure and sustained legal basis for both potential exporters and importers to adopt legislation and establish the means needed to allow countries with limited or no production capacity to import affordable generics from countries where pharmaceuticals are patented. More and more WTO members are taking practical steps to implement the system in their laws. The bulk of global medicine exports is covered by laws enabling exports under this system, opening up new options for potential beneficiaries to access a wider range of potential suppliers and enabling new, innovative procurement strategies.