## OFF

### NC – Long

#### Interpretation: IP protections refer to copyright, trademarks, GI’s, patents, ID’s, and trade secrets

WTO No Date [World Trade Organization] [DS] [https://www.wto.org/english/tratop\_e/trips\_e/intel1\_e.htm]

(i) Copyright and rights related to copyright.back to top The rights of authors of literary and artistic works (such as books and other writings, musical compositions, paintings, sculpture, computer programs and films) are protected by copyright, for a minimum period of 50 years after the death of the author. Also protected through copyright and related (sometimes referred to as “neighbouring”) rights are the rights of performers (e.g. actors, singers and musicians), producers of phonograms (sound recordings) and broadcasting organizations. The main social purpose of protection of copyright and related rights is to encourage and reward creative work. (ii) Industrial property.back to top Industrial property can usefully be divided into two main areas: One area can be characterized as the protection of distinctive signs, in particular trademarks (which distinguish the goods or services of one undertaking from those of other undertakings) and geographical indications (which identify a good as originating in a place where a given characteristic of the good is essentially attributable to its geographical origin). The protection of such distinctive signs aims to stimulate and ensure fair competition and to protect consumers, by enabling them to make informed choices between various goods and services. The protection may last indefinitely, provided the sign in question continues to be distinctive. Other types of industrial property are protected primarily to stimulate innovation, design and the creation of technology. In this category fall inventions (protected by patents), industrial designs and trade secrets. The social purpose is to provide protection for the results of investment in the development of new technology, thus giving the incentive and means to finance research and development activities. A functioning intellectual property regime should also facilitate the transfer of technology in the form of foreign direct investment, joint ventures and licensing. The protection is usually given for a finite term (typically 20 years in the case of patents). While the basic social objectives of intellectual property protection are as outlined above, it should also be noted that the exclusive rights given are generally subject to a number of limitations and exceptions, aimed at fine-tuning the balance that has to be found between the legitimate interests of right holders and of users.

#### Violation – data exclusivity is a term several countries are trying to get protected by TRIPS – but it is fundamentally different from other IP protections

MSF May 2004 [Technical Brief, “Data exclusivity in international trade agreements: What consequences for access to medicines?”] [DS] [https://www.citizen.org/wp-content/uploads/dataexclusivitymay04.pdf]

“Data exclusivity” is a term covering measures some governments, especially the US, are seeking to include in bilateral and regional trade agreements. The implications of such measures need to be understood, because they could have far-reaching ramifications for access to medicines. Data exclusivity refers to a practice whereby, for a fixed period of time, drug regulatory authorities do not allow the registration files of an originator to be used to register a therapeutically equivalent generic version of that medicine. Data exclusivity is completely separate from patents. In fact, the strongest impact may be felt in a country where there is no patent for a medicine - if data exclusivity is granted this will provide a monopoly for a set period (e.g. five years). This short briefing paper outlines the consequences of data exclusivity for access to medicines and explains why countries are not obliged to agree to it. What kind of data are we talking about? “Data exclusivity” refers to test and other data that a pharmaceutical company must provide to a drug regulatory authority (DRA) in order to get first-time registration for any new medicine it wishes to market in a country. This test data is necessary to demonstrate the efficacy and safety of the drug. Registration - or marketing approval – by the DRA is needed before a medicine can be marketed in a country. When generic manufacturers later apply to register another version of an already-registered medicine, they only have to demonstrate that their product is therapeutically equivalent to the original. To fulfil the efficacy and safety requirements, the drug regulatory authority relies on the registration file of the original manufacturer. So what kind of exclusivity is it? In order to delay competition from generic manufacturers, multinational companies have been pushing hard to obtain exclusive rights over their test data. During this period of “data exclusivity”, the DRA is not authorised to rely on information in the originator dossier to approve/register generic versions of a medicine. This period of exclusivity may vary from five years in the US to eight-10 years in the EU and can be found in developed countries mostly in medicines legislation. Such legislation also exists in a limited number of developing countries. Practically, data exclusivity prevents DRAs from registering generic versions of a medicine during a limited period, unless the generic manufacturer independently carries out its own tests showing the safety and efficacy of the medicine. What are the consequences of data exclusivity for access to generic medicines? The biggest impact of data exclusivity is on medicines that are not patented in some countries, as a result of pre-TRIPS patent laws excluding pharmaceutical patents. This is the case of most antiretroviral medicines in Guatemala for instance1 , where generic manufacturers will now have to wait five years from the date of approval of the original medicine in Guatemala before obtaining registration of their own version of the medicine2 . In other words, even when a medicine is not protected by any patent, multinational pharmaceutical companies are assured a minimum period of monopoly in countries that provide data exclusivity. This is clearly going beyond the TRIPS Agreement (see further below). In other situations, where a medicine is protected by patents, data exclusivity may constitute a barrier to the use of compulsory licenses. If a generic manufacturer is granted a compulsory license to overcome the patent, it will not be able to make effective use of the license if it has to wait for the expiry of data exclusivity before it can get its generic version approved by DRA and put on the market. Therefore, countries will need to ensure that the use of compulsory licences are not restricted by data exclusivity. Data exclusivity is a means of impeding generic competition, and maintaining artificially high prices, thereby restricting access to medicines. Moreover, it could be considered unethical to require generic manufacturers to conduct their own safety and efficacy trials with proven effective compounds. Clinical trials could expose patients to sub-optimal treatment. Proof of therapeutic equivalence should be sufficient. 1 This is because Guatemala only introduced patent protection for pharmaceuticals in November 2000. Consequently, all medicines which were applied for patent protection before this date cannot be patented in Guatemala (except for new improved versions that meet the patentability criteria). See MSF report Drug patents under the spotlight – Sharing practical knowledge about pharmaceutical patents, May 2003. 2 In accordance with Decree 09-2003, and the recently signed Central America Free Trade Agreement (CAFTA) with the United States. What is the relationship between data exclusivity and patents? Patent application is made well before the application for drug registration, at the stage of basic research, but since patents now last for 20 years, they usually expire after the data exclusivity period. The schematic graph below illustrates the interference of patents and data exclusivity. basic preclinical clinical application drug research research research for registration approval end of 20-year patent 2-4 years 4-5 years 2-3 years start of 20-year patent 5-year data exclusivity Is data exclusivity another kind of intellectual property right? Compared to more traditional intellectual property rights such as patents and copyrights, data exclusivity is very unusual since it does not require any inventive activity for it to be granted. Data exclusivity protection is instead only based on the fact that an investment has been made by the originator in carrying out the necessary tests to demonstrate the safety and efficacy of their new medicine. Although the TRIPS Agreement now requires some protection for this sort of data, it does not require that exclusive rights be granted in the same way as patents or copyright.

#### Vote neg for limits and ground – data exclusivity does not require inventive activity, which skirts the innovation DA and access CP’s and makes advantage areas fundamentally different from other affs – it also opens the floodgate to any investment that has been made ever which explodes the topic and makes neg prep unfeasible.

#### Topicality is a voting issue that should be evaluated through competing interpretations – it tells the negative what they do and do not have to prepare for—there’s no way for the negative to know what constitutes a “reasonable interpretation” when we do prep – reasonability is arbitrary and causes a race to the bottom, proliferating abuse

#### No RVIs—it’s your burden to be topical. RVI’s deter legitimate theory like T and disclosure and are illogical because you shouldn’t win for doing a good thing – logic outweighs because it’s the basis for all arguments.

## OFF

### NC – Top

#### Interpretation: The aff must defend more than one member nation of the WTO reducing IPP

Guide to Grammar 4 [The Guide to Grammar and Writing is sponsored by the Capital Community College Foundation, <http://guidetogrammar.org/grammar/plurals.htm>] whs-ee

The plural form of most nouns is created simply by adding the letter s.

more than one snake = snakes

more than one ski = skis

more than one Barrymore = Barrymores

#### Violation: they only defend Jordan

#### Vote neg:

#### 1] Precision – if we win definitions the aff is not topical. The resolution is the only predictable stasis point for dividing ground—any deviation justifies the aff arbitrarily jettisoning words in the resolution at their whim which decks negative ground and preparation because the aff is no longer bounded by the resolution.

#### 2] Limits and ground – forcing them to defend plural means they have to strategically choose nations that have common features like types of IP protections or geopolitical tensions to avoid losing to PICs which is a more limited caselist and ensures link magnitude to core topic generics while still allowing for a robust set of affs

#### C/A voting issues, competing interps, and no RVI’s.

## OFF

### NC – K

**The 1ac is then a new form of engaging in permanent preemption and biometric surveillance under the access of increasing care. This resonates with the US warfighting establishment, the Pentagon and CIA, who will redeploy the gains of the 1ac replacing the war on terror with a more insidious form of liberal violence**

**Cooper 06.** Melinda, graduated from the University of Paris VIII in 2001 and now holds a Postdoctoral Fellowship at the University of East Anglia. “Pre-empting Emergence The Biological Turn in the War on Terror.” Theory, Culture & Society 23(4) Theory, Culture & Society 2006 (SAGE, London, Thousand Oaks and New Delhi), Vol. 23(4): 113–135.

The same era witnessed something of a conceptual revolution in microbiology. The new microbiology tells us that our relation to microbial life is one of inescapable co-evolution. We are literally born of ancient alliances between bacteria and our own cells; microbes are inside us, in our history, but are also implicated in the continuing evolution of all the forms of life on earth. Biologists are discovering the biospheric dimensions of microbial life (the notion of a common evolution linking plants, animals and microbes with the geology of the earth and the composition of the atmosphere) and claiming that emerging infectious diseases are indissolubly linked with climate change. In the words of Margulis and Sagan, the environment ‘is regulated by life for life’ (1997: 94) and the common vector linking all these life forms and responsible for maintaining a breathable atmosphere is provided by bacterial evolution. At the same time, recent research is throwing new light on the specific processes of bacterial evolution, suggesting that bacteria evolve through highly accelerated processes of horizontal communication rather than chance mutation and selective pressures. It has been known, since the late 1950s, that bacteria are able to exchange sequences of DNA, often between unrelated species, through a general process of horizontal transfection.1 Only recently has the full extent of this mobility become apparent: under certain conditions, mobile sequences of bacterial DNA jump across species, genuses and kingdoms; once integrated into a new genome, these sequences are able to mutate and recombine; the bacterial genome itself is highly fluid, capable of mutating under stress and accelerating its own mutation rate (Ho, 1999: 168–200). While many leading infectious disease specialists continue to see microbial resistance as a form of (highly accelerated) Darwinian evolution (Lederberg et al., 1992), a growing body of new research is suggesting that bacteria don’t even have to wait around for random mutation to confer resistance; they can share it amongst themselves. The new microbiology is discovering that, for bacteria, resistance is literally contagious (Ho, 1999: 178–9; Levy and Novick, 1986). These new insights into microbial resistance have important ramifications for our understanding of genetic engineering technologies. **What molecular biology shared** in common **with** the political philosophy of 20thcentury pu**blic health was the belief that the future evolution of life could be predicted, controlled and (at worst) reverse-engineered on the basis of localized interventions.** It is this shared utopia that is coming under increasing scrutiny however, as recent research points to the possible links between the re-emergence of infectious disease and the use of recombinant DNA technologies. The production of ‘transgenic’ life forms, after all, hitches a ride on the same vectors of communication that are responsible for resistance – viruses, transposons (mobile genetic elements) and plasmids (extrachromosomal genetic elements) – while these vectors are routinely modified to render them even more prone to circulate and recombine. As the full extent of horizontal transfer comes to light, biologists are beginning to suggest that we cannot mobilize these vectors of communication without provoking and even accelerating the emergence of all kinds of counterresistance.2 Emergence Re-emerging The microbiologist René Dubos was the first to coin the term ‘emergence’ as a way of describing the temporality of biological evolution. By ‘emergence’, he understood not the gradual accumulation of local mutations, but the relentless, sometimes catastrophic upheaval of entire co-evolving ecologies; sudden field transitions that could never be predicted in linear terms from a single mutation (Dubos, 1987 [1959]: 33). Writing at a time when the ‘health transition’ was official public health doctrine, Dubos dismisses the idea that infectious disease could ever be eliminated, let alone stabilized. There can be no final equilibrium in the battle against germs, he argues, because there is no assignable limit to the co-evolution of resistance and counter-proliferation, emergence and counter-emergence. In Dubos’s work, the concept of microbial ‘resistance’ is divested of its association with the pathological: resistance is merely another word for emergence, and there is no end to it; its future evolution is unforeseeable from within the present. **Dubos** is scathing in his criticism of the strategic vision of mid- 20th-century public health, but what he **offers** in response is **not so much a pacifist manifesto, as an alternative vision of warfare and a counterphilosophy of disease**. If we are at war, Dubos contends, it is against an enemy that cannot be sequestered; a threat that is not containable within the boundaries of species life; is both inside and out; necessary for our survival yet prone to turn against us; and **capable of reinventing itself in response to our ‘cures’.** Dubos’s theatre of war presupposes a co-implication of human, bacterial and viral existence; a mutual immersion in the conditions of each other’s evolution. It is inevitable – he argues – that our most violent efforts to secure ourselves against contagion will be met with counter-resistances of all kinds. Microbial life will ‘strike back’ and yet we can never be sure when and how it will happen: ‘at some unpredictable time and in some unforeseeable manner nature will strike back’ (1987: 267). If we are to follow Dubos, **the relentless nature of coevolving emergence irresistibly engages us, despite ourselves, in a form of permanent warfare, a guerrilla counter-resistance without foreseeable end, against a threat whose precise ‘when’ and ‘how’ we can only speculate on**. Such an elusive vision of warfare might seem to preclude any effective strategic response – but Dubos is precisely interested in elaborating a philosophy of war which would be up to the challenge. If humans are to survive the inevitable ‘counter-strike’ from microbial life, he argues, we need to prepare for the unexpected; learn to counter the unknowable, the virtual, the emergent. **The new science of life,** he writes, **must cultivate an ‘alertness to the advent of the unpredictable’; a responsiveness to the threat that is merely felt or apprehende**d (1987: 271). We must become capable, in other words, of responding to the emergent, long before it has actualized in a form we can locate or even recognize**. Life is** a gamble, Dubos contends – a kind of **speculative warfare** (1987: 267). And **war, in this view, is necessarily preemptive**, as much an attempt to resist the counter-contagion as a creative reinvention of the conditions of human existence, beyond whatever actual limits we might have adapted to in the present. At the time he was writing – the 1950s – Dubos could not have been more at odds with the reigning public health orthodoxy. Three decades later, however, his counter-philosophy of disease seems to have been taken up into the mainstream of microbiology. The continuing evolution of infectious disease is inevitable, microbiologists now tell us. There can be no final conquest of infectious disease, although nothing will allow us to predict when and where the next pandemic will emerge: It is unrealistic to expect that humankind will win a complete victory over the multitude of existing microbial diseases, or over those that will emerge in the future. . . . Although it is impossible to predict their individual emergence in time and place, we can be confident that new microbial diseases will emerge. (Lederberg et al., 1992: 32) The new public health discourse calls our attention to emerging and reemerging infectious disease; old pathogens that have resurfaced in new, more virulent or resistant forms; existing pathogens that have infected humans for the first time; or entirely new creations. It defines infectious disease as emerging and emergent – not incidentally, but in essence. **What public health policy needs to mobilize against, the new microbiology argues, is no longer the singular disease with its specific aetiology, but emergence itself, whatever form it takes, whenever and wherever it happens to actualize** (Lederberg et al., 1992: 84). More ambiguously, the **new discourse on emerging infectious disease seems also to have struck a chord with US foreign policy** and international relations theorists, who over the same period were busy at work enumerating the new and ‘emerging threats’ that would define the post-Cold War era of warfare. **Under the banner of the new intelligence agenda,** certain **defence theorists** (often with the uncritical support of **NGOs** and **humanitarian organizations**) were **argu**ing that **the scope of security should be extended beyond the conventional military sphere to include life itself** (Johnson and Snyder, 2001: 215–18). What was at issue here was first of all the securitization of human life (hence the altogether strange concept of humanitarian warfare); but increasingly **US defence discourse is wanting to push further and incorporate the whole of life, from the micro- to the ecosystemic level, within its strategic vision.** One of the most prominent advocates of the concept of microbiological security has long claimed that ‘**emerging infectious disease . . . poses a clear threat to national security’** and that US defence should develop a common strategy for confronting both emerging and drugresistant disease and bioterrorism (Chyba, 1998: 5). And in case this might seem to represent an extreme position, it is worth noting that in the year 2000, a CIA report classified emerging ‘global infectious disease’ as a nonconventional security threat comparable to the new terrorism (National Intelligence Council [NIC], 2000), while in 2002, US Congress passed a Bioterrorism Act outlining the same emergency response procedures for bioterrorist attacks and emerging infectious disease (US Congress, 2002). More recently, the Pentagon has published a report exhorting the US government not only to wake up to the impending threat of climate change (assumed now to be closely related to the resurgence of infectious disease) but to treat it as a national security threat (Schwartz and Randall, 2003). **The future evolution of life**, it warned, **would be defined by permanent warfare.**

#### **Regulating intellectual property participates in a scarcity logic that re-affirms a broader market ownership over information – that consolidates neoliberal control through a shift to private protections, even if the individual act of the aff is good**

Soderberg 1 [Johan, BA from Falmouth College of the Arts. “Copyleft vs Copyright: A Marxist Critique” https://firstmonday.org/article/view/938/860]

"The contradiction that lies at the heart of the political economy of intellectual property is between the low to non-existent marginal cost of reproduction of knowledge and its treatment as scarce property" [23].

This contradiction [24], May demonstrates, is concealed by information capitalists whose interests are best served if ideas are treated as analogous to scarce, material property [25]. The privatisation of cultural expressions corresponds to the enclosure of public land in the fifteenth to eighteenth century.

As then, the new enclosure is concerned with creating conditions for excludability. Lawrence Lessig lists four methods to direct the behaviour of the individual to comply with property regulation: social norms, markets, architecture (including technology and code), and law. "Constraints work together, though they function differently and the effect of each is distinct. Norms constrain through the stigma that a community imposes; markets constrain through the price that they extract; architectures constrain through the physical burdens they impose; and law constrains through the punishment it threatens" [26].

Several new national laws have been passed in recent years on intellectual property rights. In the U.S. the Digital Millennium Copyright Act was passed in 1998 and has been imitated by legislation in Europe. The European Patent Office circumvented scheduled political decisions to be taken by European governments, and decreed a regulation that authorises patent claims to computer programmes [27]. These national laws were implemented under the direction of what is known as the Uruguay Round agreements [28], established by the World Trade Organisation (WTO). As a part of the bargain came the treaty of Trade Related Intellectual Property (TRIP), and its importance lies in two respects: "as an extension of the rights accorded to the owners of intellectual property and as part of the extension of a property-based market liberalism into new areas of social interaction, previously outside market relations" [29]. Simply by coordinating national regulations on a global level the net of intellectual property is tightened. TRIP was backed by American and European pharmacy companies and entertainment industries, and unsuccessfully opposed by the developing nations and northern civil society.

Despite the rigged debate on intellectual property in the mainstream media [30], the rhetoric of 'piracy' has not transformed social norms to any greater extent. The failure to curb copying is linked with the low costs and low risks for individuals to copy, i.e. the non-existent constriction of the market. However, Bettig remarks "The initial period following the introduction of a new communications medium often involves a temporary loss of control by copyright owners over the use of their property" [31].

Similarly, Lessig warns against the false reliance, common among hackers, that information technology is inherently anarchistic. The industry is determined to re-design hardware and software to command compliance with the intellectual property regime. "Code can, and will, displace law as the primary defence of intellectual property in cyberspace" [32]. It is predominantly this struggle that I now will attend to.

#### Capitalism is quickly reaching its ecological, structural, and psychological limits and causes near-term extinction – laundry list.

Robinson 16 (William, Professor of sociology, global studies and Latin American studies at the University of California at Santa Barbara. His most recent book is Global Capitalism and the Crisis of Humanity. | “Sadistic Capitalism: Six Urgent Matters for Humanity in Global Crisis” in *Truth-out*, April 12, 2016. <http://www.truth-out.org/opinion/item/35596-sadistic-capitalism-six-urgent-matters-for-humanity-in-global-crisis> )//tbrooks

The "luxury shanty town" in South Africa is a fitting metaphor for global capitalism as a whole. Faced with a stagnant global economy, elites have managed to turn war, structural violence and inequality into opportunities for capital, pleasure and entertainment. It is hard not to conclude that unchecked capitalism has become what I term "sadistic capitalism," in which the suffering and deprivation generated by capitalism become a source of aesthetic pleasure, leisure and entertainment for others. I recently had the opportunity to travel through several countries in Latin America, the Middle East, North Africa, East Asia and throughout North America. I was on sabbatical to research what the global crisis looks like on the ground around the world. Everywhere I went, social polarization and political tensions have reached explosive dimensions. Where is the crisis headed, what are the possible outcomes and what does it tell us about global capitalism and resistance? This crisis is not like earlier structural crises of world capitalism, such as in the 1930s or 1970s. This one is fast becoming systemic. The crisis of humanity shares aspects of earlier structural crises of world capitalism, but there are six novel, interrelated dimensions to the current moment that I highlight here, in broad strokes, as the "big picture" context in which countries and peoples around the world are experiencing a descent into chaos and uncertainty. 1) The level of global social polarization and inequality is unprecedented in the face of out-of-control, over-accumulated capital. In January 2016, the development agency Oxfam [published a follow-up](https://www.oxfam.org/en/pressroom/pressreleases/2016-01-18/62-people-own-same-half-world-reveals-oxfam-davos-report) to its report on global inequality that had been released the previous year. According to the new report, now just 62 billionaires -- down from 80 identified by the agency in its January 2015 report -- control as much wealth as one half of the world's population, and the top 1% owns more wealth than the other 99% combined. Beyond the transnational capitalist class and the upper echelons of the global power bloc, the richest 20 percent of humanity owns some 95 percent of the world's wealth, while the bottom 80 percent has to make do with just 5 percent. This 20-80 divide of global society into haves and the have-nots is the new global social apartheid. It is evident not just between rich and poor countries, but within each country, North and South, with the rise of new affluent high-consumption sectors alongside the downward mobility, "precariatization," destabilization and expulsion of majorities. Escalating inequalities fuel capitalism's chronic problem of over-accumulation: The transnational capitalist class cannot find productive outlets to unload the enormous amounts of surplus it has accumulated, leading to stagnation in the world economy. The signs of an impending depression are everywhere. The front page of the February 20 issue of The Economist read, "[The World Economy: Out of Ammo?](http://www.economist.com/news/leaders/21693204-central-bankers-are-running-down-their-arsenal-other-options-exist-stimulate)" Extreme levels of social polarization present a challenge to dominant groups. They strive to purchase the loyalty of that 20 percent, while at the same time dividing the 80 percent, co-opting some into a hegemonic bloc and repressing the rest. Alongside the spread of frightening new systems of social control and repression is heightened dissemination through the culture industries and corporate marketing strategies that depoliticize through consumerist fantasies and the manipulation of desire. As "Trumpism" in the United States so well illustrates, another strategy of co-optation is the manipulation of fear and insecurity among the downwardly mobile so that social anxiety is channeled toward scapegoated communities. This psychosocial mechanism of displacing mass anxieties is not new, but it appears to be increasing around the world in the face of the structural destabilization of capitalist globalization. Scapegoated communities are under siege, such as the Rohingya in Myanmar, the Muslim minority in India, the Kurds in Turkey, southern African immigrants in South Africa, and Syrian and Iraqi refugees and other immigrants in Europe. As with its 20th century predecessor, 21st century fascism hinges on such manipulation of social anxiety at a time of acute capitalist crisis. Extreme inequality requires extreme violence and repression that lend to projects of 21st century fascism. 2) The system is fast reaching the ecological limits to its reproduction. We have reached several tipping points in what environmental scientists refer to as nine crucial "planetary boundaries." [We have already exceeded these boundaries in three areas](http://www.amazon.com/Ecological-Rift-Capitalisms-War-Earth/dp/1583672184/ref=sr_1_1?ie=UTF8&qid=1460153228&sr=8-1&keywords=the+ecological+rift) -- climate change, the nitrogen cycle and diversity loss. There have been five previous mass extinctions in earth's history. While all these were due to natural causes, for the first time ever, human conduct is intersecting with and fundamentally altering the earth system. We have entered what Paul Crutzen, the Dutch environmental scientist and Nobel Prize winner, termed the Anthropocene -- a new age in which humans have transformed up to half of the world's surface. We are altering the composition of the atmosphere and acidifying the oceans at a rate that undermines the conditions for life. The ecological dimensions of global crisis cannot be understated. "We are deciding, without quite meaning to, which evolutionary pathways will remain open and which will forever be closed," observes Elizabeth Kolbert in her best seller, [The Sixth Extinction](http://www.amazon.com/Sixth-Extinction-Unnatural-History/dp/1250062187/ref=sr_1_1?s=books&ie=UTF8&qid=1457393458&sr=1-1&keywords=the+sixth+extinction). "No other creature has ever managed this ... The Sixth Extinction will continue to determine the course of life long after everything people have written and painted and built has been ground into dust." [Capitalism cannot be held solely responsible](http://www.amazon.com/Collapse-Societies-Choose-Succeed-Revised/dp/0143117009/ref=sr_1_1?ie=UTF8&qid=1460153265&sr=8-1&keywords=collapse+book). The human-nature contradiction has deep roots in civilization itself. The ancient Sumerian empires, for example, collapsed after the population over-salinated their crop soil. The Mayan city-state network collapsed about AD 900 due to deforestation. And the former Soviet Union wrecked havoc on the environment. However, given capital's implacable impulse to accumulate profit and its accelerated commodification of nature, it is difficult to imagine that the environmental catastrophe can be resolved within the capitalist system. "Green capitalism" appears as an oxymoron, as sadistic capitalism's attempt to turn the ecological crisis into a profit-making opportunity, along with the conversion of poverty into a tourist attraction. 3) The sheer magnitude of the means of violence is unprecedented, as is the concentrated control over the means of global communications and the production and circulation of knowledge, symbols and images. We have seen the spread of frightening new systems of social control and repression that have brought us into the panoptical surveillance society and the age of thought control. This real-life Orwellian world is in a sense more perturbing than that described by George Orwell in his iconic novel 1984. In that fictional world, people were compelled to give their obedience to the state ("Big Brother") in exchange for a quiet existence with guarantees of employment, housing and other social necessities. Now, however, the corporate and political powers that be force obedience even as the means of survival are denied to the vast majority. Global apartheid involves the creation of "green zones" that are cordoned off in each locale around the world where elites are insulated through new systems of spatial reorganization, social control and policing. "Green zone" refers to the nearly impenetrable area in central Baghdad that US occupation forces established in the wake of the 2003 invasion of Iraq. The command center of the occupation and select Iraqi elite inside that green zone were protected from the violence and chaos that engulfed the country. Urban areas around the world are now green zoned through gentrification, gated communities, surveillance systems, and state and private violence. Inside the world's green zones, privileged strata avail themselves of privatized social services, consumption and entertainment. They can work and communicate through internet and satellite sealed off under the protection of armies of soldiers, police and private security forces. Green zoning takes on distinct forms in each locality. In Palestine, I witnessed such zoning in the form of Israeli military checkpoints, Jewish settler-only roads and the apartheid wall. In Mexico City, the most exclusive residential areas in the upscale Santa Fe District are accessible only by helicopter and private gated roads. In Johannesburg, a surreal drive through the exclusive Sandton City area reveals rows of mansions that appear as military compounds, with private armed towers and electrical and barbed-wire fences. In Cairo, I toured satellite cities ringing the impoverished center and inner suburbs where the country's elite could live out their aspirations and fantasies. They sport gated residential complexes with spotless green lawns, private leisure and shopping centers and English-language international schools under the protection of military checkpoints and private security police. In other cities, green zoning is subtler but no less effective. In Los Angeles, where I live, the freeway system now has an express lane reserved for those that can pay an exorbitant toll. On this lane, the privileged speed by, while the rest remain one lane over, stuck in the city's notorious bumper-to-bumper traffic -- or even worse, in notoriously underfunded and underdeveloped public transportation, where it may take half a day to get to and from work. There is no barrier separating this express lane from the others. However, a near-invisible closed surveillance system monitors every movement. If a vehicle without authorization shifts into the exclusive lane, it is instantly recorded by this surveillance system and a heavy fine is imposed on the driver, under threat of impoundment, while freeway police patrols are ubiquitous. Outside of the global green zones, warfare and police containment have become normalized and sanitized for those not directly at the receiving end of armed aggression. "Militainment" -- portraying and even glamorizing war and violence as entertaining spectacles through Hollywood films and television police shows, computer games and corporate "news" channels -- may be the epitome of sadistic capitalism. It desensitizes, bringing about complacency and indifference. In between the green zones and outright warfare are prison industrial complexes, immigrant and refugee repression and control systems, the criminalization of outcast communities and capitalist schooling. The omnipresent media and cultural apparatuses of the corporate economy, in particular, aim to colonize the mind -- to undermine the ability to think critically and outside the dominant worldview. A neofascist culture emerges through militarism, extreme masculinization, racism and racist mobilizations against scapegoats. 4) We are reaching limits to the extensive expansion of capitalism. Capitalism is like riding a bicycle: When you stop pedaling the bicycle, you fall over. If the capitalist system stops expanding outward, it enters crisis and faces collapse. In each earlier structural crisis, the system went through a new round of extensive expansion -- from waves of colonial conquest in earlier centuries, to the integration in the late 20th and early 21st centuries of the former socialist countries, China, India and other areas that had been marginally outside the system. There are no longer any new territories to integrate into world capitalism. Meanwhile, the privatization of education, health care, utilities, basic services and public land are turning those spaces in global society that were outside of capital's control into "spaces of capital." Even poverty has been turned into a commodity. What is there left to commodify? Where can the system now expand? With the limits to expansion comes a turn toward militarized accumulation -- making wars of endless destruction and reconstruction and expanding the militarization of social and political institutions so as to continue to generate new opportunities for accumulation in the face of stagnation. 5) There is the rise of a vast surplus population inhabiting a "planet of slums," alienated from the productive economy, thrown into the margins and subject to these sophisticated systems of social control and destruction. Global capitalism has no direct use for surplus humanity. But indirectly, it holds wages down everywhere and makes new systems of 21st century slavery possible. These systems include prison labor, the forced recruitment of miners at gunpoint by warlords contracted by global corporations to dig up valuable minerals in the Congo, sweatshops and exploited immigrant communities (including the rising tide of immigrant female caregivers for affluent populations). Furthermore, the global working class is experiencing accelerated "precariatization." The "new precariat" refers to the proletariat that faces capital under today's unstable and precarious labor relations -- informalization, casualization, part-time, temp, immigrant and contract labor. As communities are uprooted everywhere, there is a rising reserve army of immigrant labor. The global working class is becoming divided into citizen and immigrant workers. The latter are particularly attractive to transnational capital, as the lack of citizenship rights makes them particularly vulnerable, and therefore, exploitable. The challenge for dominant groups is how to contain the real and potential rebellion of surplus humanity, the immigrant workforce and the precariat. How can they contain the explosive contradictions of this system? The 21st century megacities become the battlegrounds between mass resistance movements and the new systems of mass repression. Some populations in these cities (and also in abandoned countryside) are at risk of genocide, such as those in Gaza, zones in Somalia and Congo, and swaths of Iraq and Syria. 6) There is a disjuncture between a globalizing economy and a nation-state-based system of political authority. Transnational state apparatuses are incipient and do not wield enough power and authority to organize and stabilize the system, much less to impose regulations on runaway transnational capital. In the wake of the 2008 financial collapse, for instance, the governments of the G-8 and G-20 were unable to impose transnational regulation on the global financial system, despite a series of emergency summits to discuss such regulation.

#### neoliberalism turns politics into the technical management of risk, eliminating democracy and freedom, and inaugurating the ethical dilemma of the 21st century – a restless market subject fated to endless work, burnout and exhaustion that leads to new types of extension of the system in forms of colonialism and exploitation. Value to life outweighs

**Featherstone 17.** Mark, Senior Lecturer in Sociology at Keele University. “Planet Utopia: Utopia, Dystopia, and Globalisation.” Series: Routledge studies in social and political thought. February 17, 2017.

In seeking to think through the implications of this shift, I explore the ways in which neoliberal thought conceives of economy, and by extension society, politics, and culture, in terms of techno-scientific machines complete with cybernetic minds and bodies that respond to stimulus in more or less rational ways. Here, I suggest that the shift from the Austrians to the Americans represents an important moment, because where Popper (2002a, b), Mises (2007), Menger (2009), and Hayek (2012) imagined a rational economy, society, and political system through the image of spontaneous order, it was the Americans, and specifically the Friedman-era Chicago School, that transformed economics, economy, and as consequence society into mathematics and mathematical objects. Under these conditions the role of politics becomes about technical management of the cybernetic system, with the result that democratic participation in consideration of decisions around fundamental goods starts to take a back seat and freedom moves towards the space of the private sphere of individuals who express their self through their consumption choices and the development of a kind of doomed market subjectivity. The reason this new market subjectivity becomes an ethical problem, perhaps the ethical problem of the 21st century, is because the mode of individualism, which is never complete but always desperately in search of completion through the symbolic systems of the market, is fated to a life of endless work, terminal consumerism, and eventual burnout and exhaustion. This form of subjectivity, which Dardot and Laval (2014) call ultra-subjectivity, is therefore always late, in the sense that it is doomed before it has even begun, and represents the dystopic counterpoint to the neoliberal capitalist utopia that relies on ultra-subjectivity to maintain its hyped-up form of dynamic equilibrium. The real affront of the neoliberal utopia is, therefore, that it lives off the imposition of a dystopic form of subjectivity defined by the progressive destruction of mind and body and hides this behind its techno-scientific computational aesthetic that suggests objectivity, neutrality, and the impossibility of alternatives.

What is more is that the prospects of salvation are not good for the ultra-subject because what characterises neoliberal capitalism as late capitalism is the problem of growth, vitality, and dynamism, which was sustained by world war and recovery from world war across most of the 20th century, but today is exhausted by ecological finitude and technological limitation. Under these conditions, growth and the maintenance of the dynamism of the neoliberal utopia will only come from the modernisation of the south, which produces new limits in the form of ecological destruction, the progressive mechanisation of the worker in the cybernetic economy where every aspect of life becomes a site of possible value, and the increasing virtualisation of the economy that further condemns human subjectivity to marginality, meaninglessness, and transformation into waste. Following the elaboration of this thesis through reference to Dardot and Laval’s (2014) work, I turn to the issue of the progressive objectification of value and the virtualisation of capitalism in the form of the stock market, which is the topic of Chapter 4. Here, I consider the translation of economy from a sphere of thought through the philosophical image of the invisible hand in the laissez-faire, liberal, political economics from the 18th century to the early 20th century to the mathematical, computational conception of a cybernetic networked order in the neoliberalism of Friedman (2002) and the Chicago School from the 1950s onwards, in order to advance a theory of the capitalist utopia realised in a kind of techno-scientific sublime. In other words, the invisible hand, or spontaneous order, is no longer simply a metaphor, but rather a computational matrix realised across the global network in the neoliberalism of Friedman and the Chicago School that captured the world powers and major global institutions and subsequently transformed the sphere of international relations into a space of economic contestation and competition.

In order to try to capture this vision of the globalisation of the really existing neoliberal late capitalist utopia, I conclude the chapter with an exploration of the ways in which utopian order and dystopian disorder play out in conceptualisations of stock market trading, which shifts from a space of American frontierism, speculation, and high risk in the 19th century to a supposed closed universe of riskless risk in the late 20th century and early 21st century when the practice of securitisation led to the ultimate capitalist utopian vision—the economic, mathematical absolute where it is possible to hedge against the inevitable fluctuations in price and as a result escape the vicissitudes of time and the future itself. While this vision of the cancelled or what I want to call the strike-through future (future)—because this kind of utopianism paradoxically recalls the sci-fi fantasy of a high-tech world far off in the future—represents the utopian idea par excellence, since it is spatially contained by virtue of its global reach and temporally limited through techniques that make it possible to hedge against the radical uncertainty of the future, it is also reflective of a dystopian nightmare because the kind of dynamic equilibrium it suggests represents the opposite of what Bataille (1991) and Mauss (2000) wrote about in their theories of the cosmological primitive economy. Where they made generosity, the limited needs of humanity, and, in Mauss at least, redistribution the condition of an economy of excess, the late capitalist, neo-liberal utopia disappears or vanishes humanity and the human body beneath a cybernetic dystopia, which is comparable to the kind of totalitarianism found under Stalin and Mao, with the only difference being that the Soviet and Chinese communists destroyed humanity through politics, while the neoliberal utopians suggest that the market decides, and imagine that this somehow makes the destruction of body and mind by the objective violence of the technoscientific economy more bearable.

Of course from the point of view of the starved body and ruined mind, it makes no real difference, and offers no real compensation or comfort, to say that its executioner is sat behind a console in a London investment bank. This is no better, or somehow more defensible, than to look for the architect of monstrous violence behind a desk in CCP headquarters in Beijing. This difference makes no difference, which is precisely why the Chinese communists have found the transformation from communism to capitalism so very easy to make. Although this thesis suggests a hopeless, post-political future, where late capitalist utopianism transcends divisions between left and right, and even unites American Friedmanites and Chinese post-Maoist marketeers, it is the very completion and realisation of this cybernetic utopian machine that opens up a space to consider its potential dialectical negativity. This was revealed in 2008, when it became clear that the overconfidence, and utopian hubris, of the market fundamentalists who imagined the condition of riskless risk was their greatest enemy. At the same time that this hubris threatens to undermine the late capitalist utopia in power, and has today led to discussion of zombie politics and zombie economics, resistance to the neoliberal utopians who remain in love with their system post-mortem will require the imagination of a new utopia, or fundamental good, which should emerge from the very human condition neoliberalism ignores. The human body that suffers may very well become the new utopian figure of the 21st century which will enable the construction of a new ethics to oppose the post-human, cybernetic, utopia of capitalism. Finally, and in order to think through the possibility of the emergence of the critical space necessary to articulate this vision, in the conclusion of the chapter I set up a consideration of theories of market turbulence, including Benoit Mandelbrot’s (2004) theory of the inherent wildness of markets, in order to, first, comment on the crash of 2008, and second, show how the impossible durability of the capitalist utopia may well be threatened by its neoliberal, ultra-rational formulation. Here, I open a space to consider Quentin Meillassoux’s (2009, 2015) work on the limitations of the idea of finitude in order to show how the inherent hyper-chaos of markets opens a space for potential utopian change which is necessary because of the ways in which the hyper-rationality of the late capitalist mathematical utopia violates and humiliates the human body in pursuit of value. In this respect, I move into the discussion of financialisation, the stock market, and the potential collapse of the mathematical sublime in Chapter 4.

#### The alternative is to engage in anticapitalism, an act of radical resistance grounded in grassroots movements. Anticapitalism does not represent an unattainable utopia but challenges common myths about capitalism as a whole.

Rogers 14 (Chris Rogers, author, *Capitalism and Its Alternatives: A Critical Introduction*, Zed Books, 2014. ProQuest Ebook Central, <https://ebookcentral-proquest-com.proxy.lib.umich.edu/lib/umichigan/detail.action?docID=1758713>.) AM

*A note on terminology* The book will draw on four core concepts. The first of these is capitalism. The term capitalism is used throughout the book to refer to the prevailing form of social organization. While acknowledging that the ways in which capitalism operates and the implications of these operations are contested, this book defines capital­ ism in terms of one commonly accepted distinguishing feature: that capitalism is a system that organizes the production, distribution and exchange of goods, on the basis of private property, with a view to realizing profit and therefore increasing wealth. The second term is alternative capitalism, which is used to describe a system where the capitalistic relationship between state and market is re-regulated, but not fundamentally reformed, in order to try to produce optimal social and economic outcomes. The aim of an alternative capitalism is to maximize wealth and profit by introducing a different structure of rules to govern capitalism. The third concept is that of an alternative to capitalism. An alternative to capitalism is distinct from capitalism because it places an emphasis on social and civic goals, rather than purely focusing on pecuniary gain. In contrast to capitalism, an alternative to capitalism is founded on collective or community property rights, rather than individual property rights, although the form and extent of collective or community property rights may vary. Where the book is referring to either an alternative capitalism or an alternative to capitalism, it uses the form ‘alternative (to) capitalism’. The final concept the book uses is anti-capitalism. It uses the term anti-capitalism to refer to the act of resisting capitalism, whether this occurs by attempting to influence the state, taking control of the state, or actions taken independently or outside of the state. An individual who pursues or wishes to pursue an alternative to capitalism can therefore be described as an anti-capitalist.

Traditions of Resistance   
In its consideration of capitalism and its alternatives, this book accepts that it is possible to perceive capitalism and its con­ sequences in different ways. Furthermore, it acknowledges that the way in which capitalism and its consequences are perceived will have a fundamental impact on whether people deem capitalism to be desirable, whether they would prefer an alternative capitalism or an alternative to capitalism, and therefore whether they believe that it is important and worthwhile engaging in resistance to capitalism through the social act of anti-capitalism. However, the central argument of this book is that **capitalism displays intrinsic tendencies towards crisis that make an alternative to capitalism desirable, and so justifies anti-capitalist action**. In doing so, it argues that capitalism is a product of social interaction between people, and that it is remade or resisted through our social action. This ­emphasis on social constitution challenges common assertions about the inevitability of capitalist logic, and in the process shows that the prospect of realizing an alternative to capitalism is more than wishful thinking. In its discussions of alternatives to capitalism, however, this book guards against thinking of alternative forms of social organization as outcomes or utopias. Rather, it shows how various forms of alternative social and economic organization have shown a tendency to degenerate over time, or to reproduce injustices of capitalist social relations. It therefore suggests that **alternatives to capitalism should be thought of as processes that need to be continually made and remade if they are not to degenerate or reproduce the injustices of capitalist social relations, and if desirable outcomes are to be realized**. Reflecting the book’s emphasis on the social constitution of economy and society, it rejects ‘top-down’ attempts to impose an alternative to capitalism by political means, and argues that anticapitalist action should take a ‘bottom-up’ form, which requires democratic and pluralistic experimentation with different models of social and economic organization to expand the space in which non-capitalist activity takes place.

The arguments of the book therefore fit with a long tradition of anti-capitalist resistance. One of the most well-known instances of this kind of resistance was the insurrections of 1968, typified by the student revolts in Paris in May of that year. However, as Michael Watts (2001: 167) noted, the events of 1968 were far more than a local phenomenon; over seventy countries ‘had major student ­ actions during that year [and between] October 1967 and July 1968 there were over 2000 incidents worldwide of student protest alone’. Furthermore, it was not just students engaged in the act of protest, the act of anti-capitalism. According to Watts’ (ibid.: 167) study, ‘if one were to add the related worker and other nonstudent demonstrations each country in the world would, on average, have had over 20 “incidents” over the nine-month period’. Nor was the substance of the protest uniform; 1968 had what Watts (ibid.: 171– 2) has described as its Eastern, Western and Southern moments. In the first, typified by the Prague Spring and the Cultural Revolution in China, the focus of protests was anti-bureaucratic, and directed against the ‘Old Left’ and the corruption people perceived in it. In the second, typified by student protests in Paris and Berkeley, the focus of protests was opposition to consumerism and the pursuit of civil and social rights. In the third, the focus was the rejection of authority in the first generation of independent states in Africa and Latin America, where military dictatorship had displaced democratic rule.

Luc Boltanski (2002: 6) also highlights the diversity of the 1968 movement by distinguishing between its social and artistic critiques, where the former focused on inequality and poverty stemming from capitalism, and the latter on liberation, individual autonomy and authenticity. Michael Löwy (2002: 95) links this distinction between the social and artistic critique of capitalism to romanticism, which he defines as ‘rebellion against modern capitalist society, in the name of past or premodern social and cultural values, as a protest against the modern disenchantment of the world’. Therefore, the significance of 1968 can be seen not just across space, but also as a reflection of long-established traditions of resistance to prevailing social, political and economic forms or organization. On such readings, the events of 1968 can be interpreted as a demonstration of long-standing anti-capitalist feeling that rested on a critique of the world we live in and the injustices it creates, and in turn motivated action in order to try to address them.

#### Debate that can mobilize students are crucial to galvanize movements – otherwise extinction, endless war, and oppression are inevitable – it filters the permutation and turns framework args

SW 13, (no, not Mimi and Wimsatt, this is Socialist Worker, The inconvenient truth about greenwashing, <https://socialistworker.org/2013/09/24/the-truth-about-greenwashing?quicktabs_sw-recent-articles=6-27>)

TO RAISE these difficulties and different political outlooks within the environmental movement is not to be "divisive" or to "weaken" the movement, as is so often the charge from those trying to close down political discussion. Rather, it is absolutely essential if we are to move forward in these desperate times. As such, there is a level of importance to the debate that should encourage everyone concerned with the future of our planet to consider, analyze and discuss, because it relates directly to the future of the movement. And as building a successful, mass, independent movement and democratic, militant organization for social and ecological justice is the only thing that will prevent runaway climate change and mass extinctions that call into question the future of human civilization, it is critical that activists engage with the blossoming, much needed and very healthy debate on strategy and tactics. The debate has erupted across environmental blogs and websites once more because, just as the environmental justice movement originally emerged from activists and communities of color 30 years ago, a more radical wing of the movement is growing, becoming more assertive, asking new questions and seeking to overcome previous political weaknesses and omissions. The new questions are not just about how to marshal our forces to win individual battles, but how to string those victories together into a campaign that has an identifiable objective and grand vision. Strategically speaking, over the large scale and longer term, what kind of society are we fighting for? Are we seeking merely to sand off some of the ever-expanding, rougher edges of capitalism, while keeping the system somewhat contained and at least a few small areas sacrosanct from the profit motive? Or are we fighting for a completely different kind of world? One free of commodities, fast food, agribusiness, carbon markets, warfare over key resources, poverty, racism and sexism--and for a truly objective science and technology that is no longer twisted and disfigured by the priorities of financial accumulation. How can we both fight for meaningful change right now (tactics) that simultaneously helps build the movement and brings us closer to our larger, more long-term goals (strategy)? How do we differentiate between effective tactics that supplement our overall strategy, versus those that lead us up blind alleys? How one answers these political questions determines how and with whom one organizes. In reality, this is a very old debate and surfaces whenever a social movement reaches an impasse. The question of strategy and tactics grows out of the concrete situation which confronts new activists drawn into the struggle. Very often, it results in the emergence of new organizations which are more responsive to the increased demands and broader world views of those newly radicalized participants, such as we are beginning to see with the formation of national groups such as 350.org, Rising Tide, the left-wing coalition System Change not Climate Change and, most importantly, the newly emerging indigenous organization Idle No More. Such was the case in the civil rights movement, as newer, young activists, desirous of swifter and more thoroughgoing change, became disillusioned with the go-slow and legalistic route pursued by venerable civil rights organizations such as the NAACP (despite its radical roots). They agitated and formed organizations that were independent and open to new tactics with larger goals. Instead of an emphasis on experts, lobbying, moral suasion and lawsuits in the courts, tactics were redirected toward mobilizing the Black population as a whole--through mass, nonviolent, direct action, set within a strategy of escalating activism and involvement from wider and wider layers of society.

## OFF

### NC – Long

#### Permissibility and presumption negate – [a] the resolution indicates the aff has to prove an obligation, and permissibility would deny the existence of an obligation [b] Statements are more often false than true because any part can be false. This means you negate if there is no offense because the resolution is probably false.

#### Ethics must begin a priori:

#### [1] Uncertainty – our experiences are inaccessible to others which allows people to say they don’t experience the same, however a priori principles are universally applied to all agents.

#### [2] Bindingness – I can keep asking “why should I follow this” which results in skep since obligations are predicated on ignorantly accepting rules. Only reason solves since asking “why reason?” requires reason which concedes its authority and equally proves agency as constitutive

#### That means we must universally will maxims— any non-universalizable norm justifies someone’s ability to impede on your ends.

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

#### Prefer the standard: [a] freedom is the key to the process of justification of arguments. Willing that we should abide by their ethical theory presupposes that we own ourselves in the first place. Thus, it is logically incoherent to justify the neg standard without first willing that we can pursue ends free from others [b] Frameworks are topicality interps of the word ought so they should be theoretically justified. Prefer on resource disparities—a focus on evidence and statistics privileges debaters with the most preround prep which excludes lone-wolfs who lack huge evidence files. A debate under my framework can easily be won without any prep since huge evidence files aren’t required.

#### 1] Intellectual property is an inalienable personal right of economic use

**Pozzo 6** Pozzo, Riccardo. “Immanuel Kant on Intellectual Property.” Trans/Form/Ação, vol. 29, no. 2, 2006, pp. 11–18., doi:10.1590/s0101-31732006000200002. SJ//DA recut SJKS recut Cookie JX

Corpus mysticum, opus mysticum, propriété incorporelle, proprietà letteraria, geistiges Eigentum. All these terms mean **intellectual property, the existence of which is intuitively clear because of the unbreakable bond that ties the work to its creator.** The book belongs to whomever has written it, the picture to whomever has painted it, the sculpture to whomever has sculpted it; and this independently from the number of exemplars of the book or of the work of art in their passages from owner to owner. The initial bond cannot change and it ensures the author authority on the work. Kant writes in section 31/II of the Metaphysics of Morals: “Why does unauthorized publishing, which strikes one even at first glance as unjust, still have an appearance of being rightful? Because on the one hand a book is a corporeal artifact (opus mechanicum) that can be reproduced (by someone in legitimate possession of a copy of it), so that there is a right to a thing with regard to it. On the other hand a book is also a mere discourse of the publisher to the public, which the publisher may not repeat publicly without having a mandate from the author to do so (praestatio operae), and this is a right against a person. The error consists in mistaking one of these rights for the other” (Kant, 1902, t.6, p.290). The corpus mysticum, **the work considered as an immaterial good, remains property of the author on behalf of the original right of its creation. The corpus mechanicum consists of the exemplars of the book or of the work of art. It becomes the property of whoever has bought the material object in which the work has been reproduced or expressed.** Seneca points out in De beneficiis (VII, 6) the difference between owning a thing and owning its use. He tells us that the bookseller Dorus had the habit of calling Cicero’s books his own, while there are people who claim books their own because they have written them and other people that do the same because they have bought them. Seneca concludes that the books can be correctly said to belong to both, for it is true they belong to both, but in a different way **The peculiarity of intellectual property consists thus first in being indeed a property, but property of an action; and second in being indeed inalienable, but also transferable in commission and license to a publisher. The bond the author has on his work confers him a moral right that is indeed a personal right. It is also a right to exploit economically his work in all possible ways, a right of economic use, which is a patrimonial right. Kant and Fichte argued that moral right and the right of economic use are strictly connected, and that the offense to one implies inevitably offense to the other.** In eighteenth-century Germany, the free use came into discussion among the presuppositions of a democratic renewal of state and society. In his Supplement to the Consideration of Publishing and Its Rights, Reimarus asked writers “instead of writing for the aristocracy, to write for the tiers état of the reader’s world.” (Reimarus, 1791b, p.595). **He saluted with enthusiasm the claim of disenfranchising from the monopoly of English publishers expressed in the American Act for the Encouragement of Learning of May 31, 1790. Kant, however, was firm in embracing intellectual property. Referring himself to Roman Law, he asked for its legislative formulation not only as patrimonial right, but also as a personal right.** In Of the Illegitimity of Pirate Publishing, he considered the moral faculties related to **intellectual property as an “inalienable right (ius personalissimum) always himself to speak through anyone else, the right, that is, that no one may deliver the same speech to the public other than in his (the author’s) name”** (Kant, 1902, t.8, p.85). Fichte went farther in the Demonstration of the Illegitimity of Pirate Publishing. **He saw intellectual property as a part of his metaphysical construction of intellectual activity, which was based on the principle that thoughts “are not transmitted hand to hand, they are not paid with shining cash, neither are they transmitted to us if we take home the book that contains them and put it into our library.** In order to make those thoughts our own an action is still missing: we must read the book, meditate – provided it is not completely trivial – on its content, consider it under different aspects and eventually accept it within our connections of ideas” (Fichte, 1964, t.I/1, p.411). At the center of the discussion was the practice of reprinting books in a pirate edition after having them reset word after words after an exemplar of the original edition. Given Germany’s division in a myriad of small states, the imperial privilege was ineffective against pirate publishing. Kant and Fichte spoke for the acceptance of the right to defend the work of an author by the usurpations of others so that he may receive a patrimonial advantage from those who utilize the work acquiring new knowledge and/or an aesthetic experience. In particular, Fichte declared the absolute primacy of the moral faculties within the corpus mysticum. He divided the latter into a formal and a material part. “This intellectual element must be divided anew into what is material, the content of the book, the thoughts it presents; and the form of these thoughts, the manner in which, the connection in which, the formulations and the words by means of which the book presents them” (Fichte, 1964, t.I/1, p.411). Fichte’s underlining the author’s exclusive right to the intellectual content of his book – “the appropriation of which through another is physically impossible” (ibid.) – brought him to the extreme of prohibiting any form of copy that is not meant for personal use. In Publishing Considered anew, Reimarus considered on the contrary copyright in its patrimonial aspects as a limitation to free trade: “What would not happen were a universal protection against pirate publishing guaranteed? Monopoly and safer sales certainly do not procure convenient price; on the contrary, they are at the origin of great abuses. The only condition for convenient price is free-trade, and one cannot help noticing that upon the appearance of a private edition, publishers are forced to substantially lower the price of a book” (Reimarus, 1791a, pp.402-3). Reimarus admitted of being unable to argue in terms of justice. Justice was of no bearing, he said, for whom, like himself, considered undemonstrated the author’s permanent property of his work (herein supported by the legislative vacuum of those years). What mattered, he said, was equity. In sum, Reimarus anticipated today’s stance on free use by referring to the principle that public interest on knowledge ought to prevail on the author’s interest and to balance the copyright. Moreover, Reimarus extended his argument beyond the realm of literary production to embrace, among others, the today vital issue of pharmaceutical production on patented receipts. “Let us suppose that at some place a detailed description for the preparation of a good medicine or of any other useful thing be published, why may not somebody who lives in places that are far away from that one copy it to use it for his own profit and but must instead ask the original publisher for the issue of each exemplar?” (Reimarus, 1791b, t.2, pp.584). To sum up, Reimarus’s stance does not seem respondent to rule of law. For in all dubious case the general rule ought to prevail, fighting intellectual property with anti-monopolistic arguments in favor of free trade brings with itself consequences that are not tranquilizing also for the ones that are expected to apply the law. **By resetting literary texts, one could obviously expurgate some errors. More frequently, however, some were added, given the exclusively commercial objectives of the reprints. The valid principle was, thus, that reprints were less precise than original editions, but they were much cheaper for the simple reason that the pirate publisher had a merely moral obligation against the author and the original publisher. In fact, he was not held to pay any honorarium to the author upon handling over the manuscript, nor to paying him royalties, nor to pay anything to the original publisher. The** only expense in charge of the pirate publisher was buying the exemplar of the original edition out of which he was to make, as we say today, a free use.

#### 2]The aff violates the categorical imperative and is non-universalizable- governments have a binding obligation to protect creations

**Van Dyke 18** Raymond Van Dyke, 7-17-2018, "The Categorical Imperative for Innovation and Patenting," IPWatchdog, <https://www.ipwatchdog.com/2018/07/17/categorical-imperative-innovation-patenting/id=99178/> SJ//DA recut SJKS

As we shall see, applying **Kantian logic entails first acknowledging some basic principles; that the people have a right to express themselves, that that expression (the fruits of their labor) has value and is theirs (unless consent is given otherwise), and that government is obligated to protect people and their property. Thus, an inventor or creator has a right in their own creation, which cannot be taken from them without their consent.** So, employing this canon, **a proposed Categorical Imperative (CI) is the following Statement: creators should be protected against the unlawful taking of their creation by others. Applying this Statement to everyone, i.e., does the Statement hold water if everyone does this, leads to a yes determination. Whether a child, a book or a prototype, creations of all sorts should be protected, and this CI stands.** This result also dovetails with the purpose of government: to protect the people and their possessions by providing laws to that effect, whether for the protection of tangible or intangible things. **However, a contrary proposal can be postulated: everyone should be able to use the creations of another without charge. Can this Statement rise to the level of a CI? This proposal, upon analysis would also lead to chaos. Hollywood, for example, unable to protect their films, television shows or any content, would either be out of business or have robust encryption and other trade secret protections, which would seriously undermine content distribution and consumer enjoyment.** Likewise, inventors, unable to license or sell their innovations or make any money to cover R&D, would not bother to invent or also resort to strong trade secret. Why even create? This approach thus undermines and greatly hinders the distribution of ideas in a free society, which is contrary to the paradigm of the U.S. patent and copyright systems, which promotes dissemination. By allowing freeriding, innovation and creativity would be thwarted (or at least not encouraged) and trade secret protection would become the mainstay for society with the heightened distrust.

#### 3]The aff encourages free riding- that treats people as ­means to an end and takes advantage of their efforts which violates the principle of humanity

**Van Dyke 2** Raymond Van Dyke, 7-17-2018, "The Categorical Imperative for Innovation and Patenting," IPWatchdog, <https://www.ipwatchdog.com/2018/07/17/categorical-imperative-innovation-patenting/id=99178/> SJ//DA recut SJKS

Also, **allowing the free taking of ideas, content and valuable data, i.e., the fruits of individual intellectual endeavor**, would disrupt capitalism in a radical way. **The resulting more secretive approach in support of the above free-riding Statement** would be akin to a Communist environment **where the State owned everything and the citizen owned nothing, i.e., the people “consented” to this. It is, accordingly, manifestly clear that no reasonable and supportable Categorical Imperative can be made for the unwarranted theft of property, whether tangible or intangible,** apart from legitimate exigencies.

#### IPs are a necessary check on companies free-riding off associations of quality.

Wong et al 20 [Liana, Ian, and Shayerah; Analyst in International Trade and Finance; Specialist in International Trade and Finance; Specialist in International Trade and Finance; “Intellectual Property Rights and International Trade,” \*Updated\* 5/12/20; CRS; <https://www.everycrsreport.com/files/20200512_RL34292_2023354cc06b0a4425a2c5e02c0b13024426d206.pdf>] Justin

Trademark protection in the United States is governed jointly by state and federal law. The main federal statute is the Lanham Act of 1946 (Title 15 of the United States Code). Trademarks permit the seller to use a distinctive word, name, symbol, or device to identify and market a product or company. Marks can also be used to denote services from a particularly company. The trademark allows quick identification of the source of a product, and for good or ill, can become an indicator of a product's quality. If for good, the trademark can be valuable by conveying an instant assurance of quality to consumers. Trademark law serves to prevent other companies with similar merchandise from free-riding on the association of quality with the trademarked item. Thus, a trademarked good may command a premium in the marketplace because of its reputation. To be eligible for a trademark, the words or symbol used by the business must be sufficiently distinctive; generic names of commodities, for example, cannot be trademarked. Trademark rights are acquired through use or through registration with the PTO.

A related concept to trademarks is geographical indications (GIs), which are also protected by the Lanham Act. The GI acts to protect the quality and reputation of a distinctive product originating in a certain region; however, the benefit does not accrue to a sole producer, but rather the producers of a product originating from a particular region. GIs are generally sought for agricultural products, or wines and spirits. Protection for GIs is acquired in the United States by registration with the PTO, through a process similar to trademark registration.

#### 4] Unauthorized publication and usage of text is wrongful and infringes on inalienable moral rights

Barron ’11. [Barron, Anne (2011) Kant, copyright and communicative freedom. Law and philosophy . pp. 1-48. <http://eprints.lse.ac.uk/37521/1/Kant_Copyright_and_Communicative_Freedom_%28lsero%29.pdf>] NChu

My claim in this article is that a significantly different, and arguably richer, conception of what a free culture entails and how the rights of authors relate to it emerges from a direct engagement with the philosophy of Immanuel Kant.15 The immediate justification for turning to Kant in this context is that he dealt very directly with the issue of authors’ rights – first in an essay published in 178516 (hereinafter ‘1785 Essay’) and again briefly in a section – entitled “What is a Book” – of his late work of political philosophy, Part I of The Metaphysics of Morals. 17 Moreover, he theorized these rights as speech rights, and not as rights of property in works considered as crystallizations of their authors’ communications.18 The most wellknown of the arguments contained in these writings can be briefly outlined. Kant’s premise is that a book considered as a material object must be distinguished from a book considered as the vehicle for an activity of authorial speech. On the one hand, an author’s manuscript, and every printed copy of it, is an ordinary object of property attracting an ordinary right of property vested in whomever is legitimately in possession of the object. This right would include the right to use the object, to sell the object and indeed to copy the object. On the other hand, a published book (considered as the vehicle of its author’s speech) is also a communication from publisher to public in the name of the author. Hence it is also an action, and as such it has its existence in a person – the person of the author. For Kant, it follows that unauthorized publication of copies of the author’s text – though not unauthorized reproduction as such – is wrongful. By selling copies of an author’s text to the public, the unauthorized publisher is not just dealing with commodities – printed books – in his own name, but is disseminating an author’s speech, thus compelling the author to speak against his will,19 to acknowledge the book as his own and be responsible for it.20 Actions “belong exclusively to the person of the author, and the author has in them an inalienable right always himself to speak through anyone else, the right, that is, that no one may deliver the same speech to the public other than in his (the author’s) name”21 or deliver a fundamentally altered speech in his name.22 However if the work is indeed so altered that it would be wrong to attribute it to the author, it can rightfully be published in the modifier’s name.23 These remarks on authors’ rights have not gone unnoticed by copyright lawyers. On the contrary, Kant’s 1785 Essay is often cited as inspiration for the theory – now institutionalized in international copyright law – that authors ought to have inalienable ‘moral’ rights in relation to their works.24 These are enforceable legal rights which are ‘moral’ in the sense that they concern authors’ non-pecuniary interests in relation to their works (such as the interest in being identified as author, and in ensuring that one’s works are published only in the form in which they were created); and they contrast with the economic rights (e.g. to control the reproduction and distribution of copies) which protect authors’ pecuniary interests in the commercial exploitation of their works. Yet moral rights in practice afford far less protection to authors than the theory would suggest, and transferable economic rights to the most commercially valuable works are more often than not held by corporate investors. And since it is economic rights which are the focus of concerns about copyright expansionism and its implications for the public domain, the formal recognition of a doctrine of moral rights has done little to allay these concerns.

## Case

### Oil UQ – NC

#### Oil prices are sliding – two days in a row, dollar strength, Ida, increased production, and tapering asset purchases

Paraskova 9/20/21 [Tsvetana is a writer for Oilprice.com with over a decade of experience writing for news outlets such as iNVEZZ and SeeNews. "Oil Prices Fall As Traders Anxiously Await Fed’s Decision." https://oilprice.com/Energy/Oil-Prices/Oil-Prices-Fall-As-Traders-Anxiously-Await-Feds-Decision.html]

Oil prices dropped early on Monday as the U.S. dollar continues to strengthen ahead of the Fed’s much-anticipated policy meeting this week, which could announce the beginning of stimulus easing.

As of 9:05 a.m. EDT, WTI Crude was losing 1.75% at $70.71 and Brent Crude prices were down 1.49% at $74.21.

The oil market is down for a second consecutive day after Friday’s session settled in the red, as broader markets are anxiously watching whether the Federal Reserve will announce the start of asset purchase tapering at its meetings on Tuesday and Wednesday. The U.S. dollar gains were depressing the oil market as a stronger greenback makes oil buying more expensive for holders of other currencies.

The risk to U.S. oil production in the Gulf of Mexico is now diminishing as more output is being restored in the wake of Hurricane Ida. The return of more production from the U.S. offshore also weighed on oil prices early on Monday.

“As this week starts, much of the US market tightening on account of Ida is already baked into prices, while outages in offshore oil production and Louisiana refining capacity are continuing to ease,” Vanda Insights said in a note early on Monday.

The U.S. dollar and the Fed meeting will be the key external factors that will determine oil’s direction this week, apart from the usual U.S. inventory reports by the API and EIA, ING strategists Warren Patterson and Wenyu Yao say.

“All eyes will be on the FOMC meeting on Wednesday, where some believe we could already see the Fed announce its intentions to start tapering asset purchases, though our US economist is of the view that an announcement is more likely in November. A tapering announcement this week would likely put some downward pressure on oil and the broader commodities complex,” they noted.

### AT: COVID

#### Reject covid defense – new regional war games between Russia, Ukraine, Belarus, and NATO risks global nuke war. Even if COVID was hard for oil, it applied evenly to everyone. New financial weakness that is unique to Russia, combined with regional security issues are all unique vectors for war

Lewis & Stewart 9/10/21 [Lauren Lewis, Will Stewart. DailyMail. "All-out war with Russia 'is a possibility' Ukraine warns as Putin and Belarus alarm NATO with huge war games featuring 200,000 troops, months after military build-up on Ukraine's borders.” https://www.dailymail.co.uk/news/article-9976697/Putins-new-challenge-West-Russia-Belarus-alarm-NATO-huge-war-games.html]

Ukrainian President Volodymyr Zelenskiy said on Friday that all-out war with neighbouring Russia was a possibility, and that he wanted to have a meeting with Russian President Vladimir Putin to discuss the mounting tensions between the nations. Their torrid relationship took a turn for the worse earlier this year when fighting in eastern Ukraine intensified and Russia massed more troops near the border, seven years after Russia seized the Crimean Peninsula and backed pro-Russian separatists in eastern Ukraine. When asked at the Yalta European Strategy (YES) summit if there could really be all out-war with Russia, Zelenskiy said: 'I think there can be.' 'It's the worst thing that could happen, but unfortunately there is that possibility,' he added, speaking in Ukrainian. Kyiv says the conflict in eastern Ukraine has killed 14,000 people since 2014. Meanwhile, Russia and Belarus have alarmed NATO with huge war games and military exercises featuring 200,000 troops, which comes mere months after the aforementioned increase of Russian forces near the Ukrainian border. At the YES summit on Friday, Zelenskiy said he has tried in vain to schedule a meeting with Putin to discuss the ongoing conflict at their border and questioned the Russian president's commitment to keeping peace. 'Honestly, I don't have time to think about him,' Zelenskiy said. 'I'm more interested in whether we can really meet substantively, not declaratively as he does with some states. 'It seems to me that today... they do not see the sense in resolving issues. End the war and resolve conflict issues quickly - they don't want this.' Zelenskiy also said relations with the United States had improved, but bemoaned the fact that Ukraine had not received a clear answer to its request to join the NATO military alliance - a move that would be certain to infuriate Moscow. 'We have not received a direct position on Ukraine's accession to NATO,' he said. 'Ukraine has been ready for a long time.' He said a refusal to admit Ukraine would weaken NATO while playing into Russia's hands. Zelenskiy's comments at the YES summit on Friday came just one day after Russia and Belarus formally opened vast joint military drills as part of a week-long exercise across the territory of both countries and in the Baltic Sea that has alarmed some NATO countries. The active part of the exercise, which comes at a time of heightened tensions between the West and Belarus due to a crackdown on the opposition there, began on Thursday and will run until September 16. Officials say the exercises do not envisage specific countries as adversaries. But the chief of Belarus' general staff, Major-General Viktor Gulevich, said the exercises should be a 'signal' to the West of the 'futility' to taking 'a position of strength' with the two countries. The Russian defence ministry said up to 200,000 military personnel, some 80 aircraft and helicopters, up to 15 ships and nearly 300 tanks would take part. The drills will involve live fire and mark the culmination of a bigger three-month exercise.

### 1NC – Turn

#### Prices are falling now – the surge is over

Watts & Saefong 9/17/21 [By Myra P. Saefong Follow and William Watts at MarketWatch. "Oil prices decline, but post a 4th straight weekly gain." https://www.marketwatch.com/story/oil-prices-edge-lower-but-on-track-for-weekly-rise-of-more-than-3-11631880088]

Oil futures declined on Friday, pulling back from seven-week highs as crude production in the Gulf of Mexico makes a slow comeback from Hurricane Ida, but U.S. and global benchmark crude prices scored solid weekly gains for a fourth week in a row.

“Crude oil production that was shut by Hurricane Ida continues to be restored, so refinery demand is being increasingly met from producers, trimming a bit the price premiums of previous days,” said Nishant Bhushan, oil markets analyst at Rystad Energy, in a daily note.

The hurricane news had removed the Organization of the Petroleum Exporting Countries from the market spotlight, but the group continues to “pump more oil as per their latest production agreement, and that is reflected in global supply, with prices taking notice,” said Bhushan.

Demand concerns have also climbed. Japan has already extended stricter lockdown measures in an attempt to suppress the further spread of COVID-19 and China also reported new outbreak of Covid-19 in the Fujian province, he said.

“Now, with supply strengthening and some possible dents to demand recovery in Asian markets, oil prices naturally cut the excess fat that the U.S hurricane season helped accumulate,” Bhushan said.

West Texas Intermediate crude for October delivery CL00, -2.05% CLV21, -2.03% fell 64 cents, or 0.9%, to settle at $71.97 a barrel on the New York Mercantile Exchange. November Brent crude BRN00, -1.58% BRNX21, -1.54%, the global benchmark, declined by 33 cents, or 0.4%, at $75.34 a barrel on ICE Futures Europe.

#### Middle East war is good—it raises oil prices

Lynch 18 [Michael Lynch spent nearly 30 years at MIT as a student and then researcher at the Energy Laboratory and Center for International Studies. He then spent several years at what is now IHS Global Insight and was chief energy economist. Currently, Lynch serves as the president of Strategic Energy and Economic Research, Inc., and lectures MBA students at Vienna University. He’s been president of the US Association for Energy Economics and serves on the editorial boards of three publications. Will Oil Prices Blow Up With The Middle East? April 12, 2018. https://www.forbes.com/sites/michaellynch/2018/04/12/will-the-oil-price-blow-up-with-the-middle-east/#166754c23d19]

It's said that a woman once approached 19th century German Chancellor Bismarck and asked him to explain the controversy over Schleswig-Holstein, to which Bismarck responded, “Madam, only three people have ever understood Schleswig-Holstein. One is dead, the second has gone mad, and I’m the third and I’ve quite forgot.” This summarizes how I feel about the current Middle East situation. The public rhetoric (including tweets) suggests that the U.S. and Russia are both willing to attack each other’s forces -- the U.S. is planning an attack on Syrian forces that might affect Russian personnel and Russia is apparently threatening to shoot down U.S. planes. This is obviously concerning, and while incidental Russia casualties might not lead to a direct military response, if Russia shot down a U.S. plane (as opposed to an unmanned missile), the U.S. would almost certainly respond. Given that the Russians know this, they are unlikely to take such a step. An additional factor is the possibility that Iranian forces in Syria would be hit by any U.S. attack, which might invite retaliation. Iran is unlikely to be able to attack U.S. forces in the Mediterranean directly, but forces in Iraq and Syria might be subject to ‘asymmetrical warfare,’ i.e., small-scale attacks, possibly including suicide bombers. The threat to oil markets come if Iranian actions encourage President Trump to refuse to recertify the Iranian nuclear agreement in mid-May. While many of Iran’s customers in Asia would not be concerned, there might be some drop in sales from companies fearful of U.S. legal action. Sanctions on financial transfers would also deter the more conventional customers, but the Iranians should be able to work around that after a brief pause. Could this also mean an escalation in the conflict between Iran and Saudi Arabia (or more broadly but less accurately, Shia versus Sunni regimes)? Given that the Saudis have been attacking Iranian-supported Houthis in Yemen without direct response by Iran for some time now, any Saudi actions in Syria seem unlikely to be a provocation that would worsen the situation in the Gulf. FDR’s comment that ‘we have nothing to fear but fear itself’ seems appropriate for oil traders. Bombs and missiles flying in the greater Middle East always creates a bullish impetus on prices, even if the oil fields remain distant from the actual violence. The death of Russian personnel would worsen this, as it implies a greater probability of retaliation and continuation of the conflict which, again, would push up oil prices. And naturally, should Iranian personnel be affected, there would be very rational concerns that they might respond with some sort of attack that could affect Gulf oil trade. The worst case scenarios -- ongoing U.S.-Russian combat or direct Saudi-Iranian fighting -- seem very unlikely to happen. But as long as the possibility exists, oil prices will remain elevated, with WTI perhaps hitting $70 or higher, and only coming down when it has become clear that the violence is diminishing and will not spread. Until then, expect a bumpy ride.

#### Lower oil revenue encourages Russia to intervene militarily which causes escalating crisis

Jaffe and Elass 16 [Amy Myers Jaffe and Jareer Elass, Columbia Journal of International Fails. War and the Oil Price Cycle. January 1, 2016. https://jia.sipa.columbia.edu/war-oil-price-cycle]

While low oil prices have forced Moscow to take draconian economic steps, so far it has not fundamentally produced the desired diplomatic capitulation. As predicted by Robert Blackwill and Meghan O’Sullivan, “… a weaker Russia will not necessarily mean a less challenging Russia…Russia could seek to secure its regional influence in more direct ways –even through the projection of military power.”48 Indeed, U.S. summer diplomatic efforts fizzled quickly by autumn, with Russia changing the facts on the ground through direct Russian military intervention. Russia’s motivations are multifold and certainly include protecting its substantial interests in Syria including its preferred outcome that maintains Syria as an Iranian bulwark against Sunni jihadists.49 Some analysts are suggesting that Moscow is overly optimistic about defeating Syrian opposition groups. Instead, it is suggested that Russia’s previous difficulties during its invasion of Afghanistan may prove instructive, with all Syrian opposition forces still focusing in earnest on the Assad camp, and saving energies against each other for a later day.50 However, it is still not clear as this article went to press whether Russia intends to satisfy the Saudis by participating in peace negotiations, or whether the Russian engagement on behalf of Assad is meant to hold Iran and Moscow in a position to use Syria to assert themselves against the kingdom and restore oil prices. While the outcome in Syria is uncertain, the Russian move clearly complicates the landscape in the region, and leaves open the possibility of escalating violence. Pavel Baev and Jeremy Shapiro of Brookings suggest Russia’s increased intervention may simply be designed to “establish a position of strength from which to bring Moscow back into the center of diplomacy over Syria,”51 but they are skeptical that Russia will be able to manage its participation in the conflict to reach a desired goal. Russia may also have broader goals, including intimidating U.S. allies both in the region and in Europe, to influence oil policy over the longer term, as well as to weaken strategic alliances that could be used against Russia, its national interests or the interests of individuals in the current regime. In recent years, Russia has acted to reassert itself on the world stage both through military means and by tapping energy as a weapon for leverage to enhance its geopolitical status.52

#### But, decline causes worse aggression – it’s NoKo 2.0

Fisher 14 [Max Fisher, Vox. The worse Russia's economy gets, the more dangerous Putin becomes. December 17, 2014. https://www.vox.com/2014/12/17/7401681/russia-putin-ruble]

You might reasonably conclude that the destruction of Russia's economy is great news for the United States of America. After all, won't it humble Vladimir Putin, forcing him to finally back out of his disastrous Ukraine invasion, soften his growing hostility toward Europe and the US, and generally ratchet down the brinksmanship and aggression that have made him so troublesome?

Actually, it's the opposite. The odds are that Russia's freefalling economy will make Putin even more aggressive, more unpredictable, and less willing to compromise. The weaker that Russia becomes, the more dangerous it will get, and that's terrible news for everyone, including the US.

It is precisely because the cratering economy is weakening Putin that it will force him to bolster his rule, which he will almost certainly do by drumming up nationalism, foreign confrontations, and state propaganda. Russia, already hostile and isolated, is likely to become even more so, worsening both its behavior abroad and the already-significant economic suffering of regular Russians. The country's propaganda bubble will further seal off Russians from the outside world, telling them that Russia's decline is the fault of Western aggression that they must rally against.

In all, this effect is starting to look something like the North Koreaification of Russia. That does not mean that Russia is about to become or will ever be as isolated, hostile, or aggressive as North Korea, but it only has to edge a little bit in that direction to bring terrible consequences for the world and for Russians themselves.

#### Only instability in the Middle East can prevent Russian economic implosion

Baev 15 (Pavel K. Baev is a Research Director and Professor at the Peace Research Institute, Oslo (PRIO). He is also a non-resident senior fellow at the Center for the United States and Europe (CUSE) at the Brookings Institutions, Washington DC, and a Senior Associate Fellow at the Institut Francais des Relations Internationales (IFRI), Paris. 24 April 2015. <https://www.opendemocracy.net/od-russia/pavel-k-baev/russia-is-spoiling-for-fight-in-middle-east>)

The first is the dramatic (and, for Russia, devastating) decline in oil prices, which has been caused by profound shifts in global energy markets. This trend might only be reversed rapidly by a further spike of instability in the Middle East, which would disrupt supplies coming from the Persian Gulf. The 30-40% price drop that occurred in the second half of 2014 happened while three major suppliers—Iraq, Iran, and Libya—were already performing far below capacity. It is reasonable to assume that a normalisation of production in any of them would push the benchmark price even lower. Russia may thus find it necessary to prevent progress in conflict resolution (and, hence, stabilisation in one or more of these three major producers). It could mean the difference between severe economic crisis and implosion.

#### They’ll use cyberattacks, which cause extinction

Perkovich 18 [George, Olivier and Nomellini chair and vice president for studies at the Carnegie Endowment for International Peace, “Really? We’re Gonna Nuke Russia for a Cyberattack?” 1/18, <https://www.politico.com/magazine/story/2018/01/18/donald-trump-russia-nuclear-cyberattack-216477>]

For three reasons, the Trump administration would be wise to reconsider and more carefully calibrate the circumstances under which it would initiate nuclear war. The first reason has to do with the fact that nuclear war would be much more devastating to the United States than would any conceivable cyberattack. Russia and China appear to be the most likely adversaries that in the near term might be able to use cyberweapons to disable significant segments of the U.S. electricity system. Indeed, Russian attackers already did so to Ukraine, in a December 2015 operation that shut down power for approximately 230,000 Ukrainians for up to six hours. That attack, Wired magazine reported last June, may have been a dress rehearsal for a future assault on the U.S. power grid. Now imagine it was much worse, and all of Ukraine was without electricity for weeks. If Ukraine possessed nuclear weapons, would any sane person in Washington have recommended that Ukrainian leaders retaliate by nuking Russia, and thereby inviting Russian nuclear attacks on Ukraine? The cure would have been much worse than the disease. The same strategic logic applies to the United States. A cyberattack on U.S. civilian infrastructure could be enormously disruptive and costly. Depending on the scale and durability of outages of electricity, piped water, etc., the effect could be like what Puerto Rico is experiencing due to Hurricane Maria (though without the collapsed roadways and buildings). But, if a U.S. president initiated nuclear war in response to a massive cyberattack*, Russia and China would be expected to retaliate with nuclear weapons.* This could leave the mainland U.S. in the condition of Puerto Rico *minus all the people, buildings and wildlife*. Russia and China would suffer gravely in the process, but the U.S. would lose much more than it would gain by moving from cyberwar to nuclear war. Here’s the second reason it’s crazy to retaliate with nuclear weapons: The United States’ conventional and cyber capabilities combined are greater than its adversaries’. Thus, the United States for decades has wanted to keep conflicts from going nuclear, where it would be harder if not impossible to “win.” The U.S. continues to develop and deploy its own cyber capabilities to disrupt adversaries’ civilian and dual-use infrastructure—energy, water, finance, etc. This helps deter adversaries from initiating cyberwarfare on a large scale, and, if deterrence fails, to enable *countervailing cyberattacks and perhaps conventional warfare*.

### NC – AT: ME War

#### Middle East war won’t go nuclear – balanced alliances, Chinese non-intervention, and cooperation prevent great power draw-in

Mead 14 – Walter Russell Mead, James Clarke Chace Professor of Foreign Affairs and Humanities at Bard College and Professor of American foreign policy at Yale University, Editor-at-Large of The American Interest magazine and a non-resident Scholar at the Hudson Institute, 2014 (“Have We Gone From a Post-War to a Pre-War World?” *Huffington Post*, July 7th, <http://www.huffingtonpost.com/walter-russell-mead/new-global-war_b_5562664.html>)

The Middle East today bears an ominous resemblance to the Balkans of that period. The contemporary Middle East has an unstable blend of ethnicities and religions uneasily coexisting within boundaries arbitrarily marked off by external empires. Ninety-five years after the French and the British first parceled out the lands of the fallen Ottoman caliphate, that arrangement is now coming to an end. Events in Iraq and Syria suggest that the Middle East could be in for carnage and upheaval as great as anything the Balkans saw. The great powers are losing the ability to hold their clients in check; the Middle East today is at least as explosive as the Balkan region was a century ago.

GERMANS THEN, CHINESE NOW

What blew the Archduke's murder up into a catastrophic world war, though, was not the tribal struggle in southeastern Europe. It took the hegemonic ambitions of the German Empire to turn a local conflict into a universal conflagration. Having eclipsed France as the dominant military power in Europe, Germany aimed to surpass Britain on the seas and to recast the emerging world order along lines that better suited it. Yet the rising power was also insecure, fearing that worried neighbors would gang up against it. In the crisis in the Balkans, Germany both felt a need to back its weak ally Austria and saw a chance to deal with its opponents on favorable terms.

Could something like that happen again? China today is both rising and turning to the sea in ways that Kaiser Wilhelm would understand. Like Germany in 1914, China has emerged in the last 30 years as a major economic power, and it has chosen to invest a growing share of its growing wealth in military spending.

But here the analogy begins to get complicated and even breaks down a bit. Neither China nor any Chinese ally is competing directly with the United States and its allies in the Middle East. China isn't (yet) taking a side in the Sunni-Shia dispute, and all it really wants in the Middle East is quiet; China wants that oil to flow as peacefully and cheaply as possible.

AMERICA HAS ALL THE ALLIES

And there's another difference: alliance systems. The Great Powers of 1914 were divided into two roughly equal military blocs: Austria, Germany, Italy and potentially the Ottoman Empire confronted Russia, France and potentially Britain.

Today the global U.S. alliance system has no rival or peer; while China, Russia and a handful of lesser powers are disengaged from, and in some cases even hostile to, the U.S. system, the military balance isn't even close.

While crises between China and U.S. allies on its periphery like the Philippines could escalate into US-China crises, we don't have anything comparable to the complex and finely balanced international system at the time of World War I. Austria-Hungary attacked Serbia and as a direct result of that Germany attacked Belgium. It's hard to see how, for example, a Turkish attack on Syria could cause China to attack Vietnam. Today's crises are simpler, more direct and more easily controlled by the top powers.

#### No Iran war with the US or Israel

* No domestic support in Israel or the US – especially given 2020 elections
* Polls prove rally around the flag doesn’t work with Iran
* Iraq, Lebanon, and Tukey will block the Israeli air force
* They’d have to rely on cruise missiles which aren’t enough

Hallinan 2/1/19 [Conn Hallinan, columnist for Foreign Policy In Focus, PhD in Anthropology from the University of California, Berkeley, “Could Trump Really Launch a War With Iran?”, https://fpif.org/could-trump-really-launch-a-war-with-iran/]

Would the U.S. or Israel Actually Attack?

Of course, if the United States and/or Israel join in, Iran will be hard pressed. But as belligerent as Bolton and the Israeli government are toward Iran, would they initiate or join a war?

Such a war would be unpopular in the United States. Some 63 percent of Americans oppose withdrawing from the nuclear agreement and, by a margin of more than 2 to 1, oppose a war with Iran. While 53 percent oppose such a war — 37 percent strongly so — only 23 percent would support a war with Iran. And, of those, only 9 percent strongly support such a war.

The year 2020 is also the next round of U.S. elections, where control of the Senate and the White House will be in play. While wars tend to rally people to the flag, the polls suggest a war with Iran is not likely to do that. The U.S. would be virtually alone internationally, and Saudi Arabia is hardly on the list of most Americans’ favorite allies.

And it’s not even certain that Israel would join in, although Prime Minister Benjamin Netanyahu calls Iran an “existential threat.” Polls show that the Israeli public is hardly enthusiastic about a war with Iran, particularly if the U.S. isn’t involved.

The Israeli military is more than willing to take on Iranian forces in Syria, but a long-distance air war would get complicated. Iraq and Lebanon would try to block Israel from using their airspace to attack Iran, as would Turkey. The first two countries might not be able to do much to stop the Israelis, but flying over a hostile country is always tricky, particularly if you have to do it for an extended period of time. And anyone who thinks the Iranians are going to toss in the towel is delusional.

Of course Israel has other ways to strike Iran, including cruise missiles deployed on submarines and surface craft. But you can’t win a war with cruise missiles; you just blow a lot of things up.

#### No strikes – Israel would never

* They’d have done it by now – preemptively attacked Iraq and Syria within weeks of finding single reactors
* A strike would make the bomb more likely by emboldening Iran, they’d leave the NPT, kick out IAEA watchdogs, and sanctions support collapses – funds nuke mod in Iran
* It hurts Israel by eroding regional allies and Iran gets a face lift – independently messes up US-Israel ties and erodes assurances
* Veto players – Netanyahu needs approval from the IDF and security cabinet and they all hate him

Keck 15 [Zachary Keck is the Wohlstetter Public Affairs Fellow at the Nonproliferation Policy Education Center. Before that, he was a researcher at the Belfer Center for Science and International Affairs. "5 Reasons Israel Won't Attack Iran." https://nationalinterest.org/commentary/five-reasons-israel-wont-attack-iran-9469?page=0%2C1]

Although the interim deal does further reduce Israel’s propensity to attack, the truth is that the likelihood of an Israeli strike on Iran’s nuclear facilities has always been greatly exaggerated. There are at least five reasons why Israel isn’t likely to attack Iran.

1. You Snooze, You Lose

First, if Israel was going to strike Iran’s nuclear facilities, it would have done so a long time ago. Since getting caught off-guard at the beginning of the Yom Kippur War in 1973, Israel has generally acted proactively to thwart security threats. On no issue has this been truer than with nuclear-weapon programs. For example, Israel bombed Saddam Hussein’s program when it consisted of just a single nuclear reactor. According to ABC News, Israel struck Syria’s lone nuclear reactor just months after discovering it. The IAEA had been completely in the dark about the reactor, and took years to confirm the building was in fact housing one.

Contrast this with Israel’s policy toward Iran’s nuclear program. The uranium-enrichment facility in Natanz and the heavy-water reactor at Arak first became public knowledge in 2002. For more than a decade now, Tel Aviv has watched as the program has expanded into two fully operational nuclear facilities, a budding nuclear-research reactor, and countless other well-protected and -dispersed sites. Furthermore, America’s extreme reluctance to initiate strikes on Iran was made clear to Israel at least as far back as 2008. It would be completely at odds with how Israel operates for it to standby until the last minute when faced with what it views as an existential threat.

2. Bombing Iran Makes an Iranian Bomb More Likely

Much like a U.S. strike, only with much less tactical impact, an Israeli air strike against Iran’s nuclear facilities would only increase the likelihood that Iran would build the bomb. At home, Supreme Leader Ali Khamenei could use the attack to justify rescinding his fatwa against possessing a nuclear-weapons program, while using the greater domestic support for the regime and the nuclear program to mobilize greater resources for the country’s nuclear efforts.

Israel’s attack would also give the Iranian regime a legitimate (in much of the world’s eyes) reason to withdraw from the Nuclear Non-Proliferation Treaty (NPT) and kick out international inspectors. If Tehran’s membership didn’t even prevent it from being attacked, how could it justify staying in the regime? Finally, support for international sanctions will crumble in the aftermath of an Israeli attack, giving Iran more resources with which to rebuild its nuclear facilities.

3. Helps Iran, Hurts Israel

Relatedly, an Israeli strike on Iran’s nuclear program would be a net gain for Iran and a huge loss for Tel Aviv. Iran could use the strike to regain its popularity with the Arab street and increase the pressure against Arab rulers. As noted above, it would also lead to international sanctions collapsing, and an outpouring of sympathy for Iran in many countries around the world.

Meanwhile, a strike on Iran’s nuclear facilities would leave Israel in a far worse-off position. Were Iran to respond by attacking U.S. regional assets, this could greatly hurt Israel’s ties with the United States at both the elite and mass levels. Indeed, a war-weary American public is adamantly opposed to its own leaders dragging it into another conflict in the Middle East. Americans would be even more hostile to an ally taking actions that they fully understood would put the U.S. in danger.

Furthermore, the quiet but growing cooperation Israel is enjoying with Sunni Arab nations against Iran would evaporate overnight. Even though many of the political elites in these countries would secretly support Israel’s action, their explosive domestic situations would force them to distance themselves from Tel Aviv for an extended period of time. Israel’s reputation would also take a further blow in Europe and Asia, neither of which would soon forgive Tel Aviv.

4. Israel’s Veto Players

Although Netanyahu may be ready to attack Iran’s nuclear facilities, he operates within a democracy with a strong elite structure, particularly in the field of national security. It seems unlikely that he would have enough elite support for him to seriously consider such a daring and risky operation.

For one thing, Israel has strong institutional checks on using military force. As then vice prime minister and current defense minister Moshe Yaalon explained last year: “In the State of Israel, any process of a military operation, and any military move, undergoes the approval of the security cabinet and in certain cases, the full cabinet… the decision is not made by two people, nor three, nor eight.” It’s far from clear Netanyahu, a fairly divisive figure in Israeli politics, could gain this support. In fact, Menachem Begin struggled to gain sufficient support for the 1981 attack on Iraq even though Baghdad presented a more clear and present danger to Israel than Iran does today.

What is clearer is that Netanyahu lacks the support of much of Israel’s highly respected national security establishment. Many former top intelligence and military officials have spoken out publicly against Netanyahu’s hardline Iran policy, with at least one of them questioning whether Iran is actually seeking a nuclear weapon. Another former chief of staff of the Israeli Defense Forces told The Independent that, “It is quite clear that much if not all of the IDF [Israeli Defence Forces] leadership do not support military action at this point…. In the past the advice of the head of the IDF and the head of Mossad had led to military action being stopped.”

#### Diplomacy’s impossible – Russia’s foreign policy is crude economics and military force – its soft power carries no sway, and it has no allies – that makes decline more dangerous, so it’s try or die to prevent Russian collapse

Kim 14 [Lucian Kim, Slate. Putin the Pariah: The Russian president is isolated, shunned, and ignored. And that makes him even more dangerous. November 18, 2014. https://slate.com/news-and-politics/2014/11/vladimir-putin-is-isolated-and-shunned-that-makes-the-russian-president-even-more-dangerous.html]

Putin’s isolation points to a larger problem and one of the greatest failures of his presidency: namely that Russia has practically no allies left. The reason isn’t that NATO has forced most of Eastern Europe under its yoke, but that Putin’s foreign policy is a zero-sum game where Russia’s enormous soft power—culture, language, knowledge—plays a nonexistent role and everything comes down to crude economic levers and, if need be, force of arms. Ukraine is only the latest example.

Putin’s push to create a “Eurasian Union” with landlocked neighbors, starting with Belarus and Kazakhstan, is not as much an attempt to resurrect the Soviet Union as to mimic the EU and enhance his own prestige. Next year Russia will hold the rotating presidency of the Shanghai Cooperation Organization, a regional security group that also includes China and four Central Asian republics. With its nebulous purpose and lack of obligations, the SCO is a pale substitute for a real alliance.