## Quality DA

## A. Uniqueness

#### [Cueni 20] Companies are producing medicine because they know their IPP is protected – current vaccine production proves.

**Cueni 20**: Cueni, Thomas. [New York Times Company] “The risk in suspending vaccine patent rules” *Wion,* 2020. JP

It is unclear how suspending patent protections would ensure fair distribution. But what is clear is that if successful, the effort would jeopardize future medical innovation, making us more vulnerable to other diseases. Intellectual property rights, including patents, grant inventors a period of exclusivity to make and market their creations. By affording these rights to those who create intangible assets, such as musical compositions, software or drug formulas — people will invent more useful new things. **Development of a new medicine is risky and costly**. Consider that scientists have spent decades — and billions of dollars — working on Alzheimer’s treatments, but still have little to show for it. The companies and investors who fund research shoulder so much risk because they have a shot at a reward. Once a patent expires, generic companies are free to produce the same product. **Intellectual property rights underpin the system that gives us all new medicines, from psychiatric drugs to cancer treatments**. In trying to defend these rights, the drug industry has made mistakes in the past that have lost people’s trust. More than 22 years ago, for example, a group of drug companies sued the South African government for trying to import cheaper anti-AIDS drugs amid an epidemic. With price standing between patients and survival, the suit, which the companies eventually dropped, was a terrible misjudgment. The current situation is not parallel. **Several major drug companies, including AstraZeneca, GlaxoSmithKline and Johnson & Johnson, have pledged to offer their vaccines on a not-for-profit basis during the pandemic**. Others are considering differential pricing for different countries. **As of last month, four major pharmaceutical companies had already agreed to eventually produce at least three billion vaccine doses for low- and middle-income nations, according to one analysis**. In South Africa and India, pharmaceutical companies are already working with local partners to make their vaccines available. Johnson & Johnson has entered into a technology transfer partnership for its candidate vaccine with South Africa’s Aspen Pharmacare, and AstraZeneca has reached a licensing agreement with the Serum Institute of India to develop up to 1 billion doses of its vaccine for low-and-middle-income countries. **Companies can afford to license patents for free, or sell drugs at cost, precisely because they know that their intellectual property will be protected. That’s not a flaw in the system; it’s how the system ensures that pharmaceutical research will continue to be funded.**

## B. Link

#### [Philipson 21] A waiver of IPP hikes up drug prices – companies have less incentive to mass produce quality vaccines when there’s no profit incentive.

**Philipson 21:** Philipson, Tomas J. [Writer at the WSJ] Zinberg, Joel. [Writer at the WSJ] “Stealing From Drug Makers Is No Way to Vaccinate the World” *Wall Street Journal,* July 14, 2021. JP

This is only the latest attempt by the WHO and public-health nonprofits to take a free ride on the pharmaceutical industry based on the mistaken belief that patents limit access to better healthcare. **But intellectual-property protections enable innovative products that lower the effective price of health, not raise it, by providing previously unavailable treatments at temporary patent-protected prices, which fall as competing products, and eventually generics, come to market.** Before effective HIV treatments existed, longer life was unobtainable at any price. Patent-protected HIV drugs reduced the cost of a longer life to a payable number, and prices eventually. Likewise, Covid vaccines reduced the cost of disease prevention from lockdowns to stop economic activity to a simple shot in the arm. **Attempting to catch a free ride on innovative vaccine makers who have already forgone patent-protected prices is counterproductive. Waiving IP protections would slow or abort vaccine development in the next pandemic. And it would discourage vaccine producers from rapidly producing vaccines for world-wide distribution during this pandemic**. President Biden has pledged to donate 500 million Pfizer vaccine doses to developing countries over the next two years. Other developed countries also promised doses, but deliveries are far behind pledges. Following through on the threat to waive patents would make fulfilling these commitments in a timely manner unlikely, eliminating the economic incentives to distribute the shots. Most donations are routed through Covax, an international nonprofit run by the United Nations and the WHO. Even if supplies materialize, Covax’s target of vaccinating 20% of the population in 92 target low-income countries over the next two years is well short of the level of immunity needed to end the pandemic and keep new variants from developing. This purchasing shortfall is unsurprising. Providing vaccines to the developing world is a global public good and, like other public goods, is underprovided relative to its value. **Wealthy nations need to stop free-riding on innovative companies and instead focus on financial incentives for manufacturers to distribute their products world-wide**. This would benefit everyone and preserve the incentives to innovate that saved us in this pandemic.

## C. Impact (Quality)

#### [Winegarden 21] Cost compromises quality – medicines will be worse quality and take longer to produce, which prolonges the pandemic.

**Winegarden 21:** Winegarden, Wayne. [Writer at the OCR] “Violating intellectual property rights jeopardizes quality health care” *The OCR: Opinion,* 2021. JP

**Policymakers across the globe are attempting to vilify the same private companies that have been invaluable partners in the fight against the COVID-19 pandemic. If these efforts are successful, it will be patients who are harmed the most.**  Globally, the World Trade Organization (WTO) wants to waive the patent rights for the companies that developed effective COVID-19 vaccines in record breaking time. Here in the U.S., states as diverse as Arkansas, California, and Texas are considering policies that use the pandemic as an excuse to violate device manufacturers’ intellectual property rights. In both cases, the proponents of violating companies’ intellectual property rights try to frame the problem as an issue of people over profits. Nothing could be further from the truth. The WTO claims that violating the patent rights will widen access to Covid-19 vaccines to low-income countries, which are still facing shortages. **But, even if the patents were violated, it would take an incredibly long time for another manufacturer to develop, test, manufacturer, and distribute its vaccine.** This time lag undermines the claims of the proponents. As a letter to President Biden from Senators Mike Lee, R-Utah, Tom Cotton, R-Arkansas, Joni Ernst, R-Iowa, and Todd Young, R-Indiana, explains, “The proponents of this scheme argue that if we just destroy the intellectual property developed by American companies, we will suddenly have more manufacturers producing COVID-19 vaccines. But the opposite is true. By destroying the intellectual property of every American company that has worked on COVID-19 vaccines and treatments we would be ending the progress—started under Operation Warp Speed—that led to the fastest development of life-saving vaccines in history.” The drive to invalidate patents in the U.S. includes California legislation Senate Bill 605. **This legislation violates the intellectual property rights of manufacturers of medical equipment such as diagnostic and imaging machines and forces these companies to disclose confidential training materials and service tools to other third-party service businesses**. The purpose of forcing manufacturers to reveal their proprietary information is to enable other service firms to become more effective competitors. Therefore, by violating their government granted property rights, these proposals will harm the original innovative manufacturers. Like the WTO, the proponents of these bills wrongly claim that violating property rights is the only way to protect public health. It is also important to note that once any state passes this law, it is in effect for all 50 states – after all, once a manufacturer has been forced to release its proprietary intellectual property in one state, it is available publicly to anyone across the globe. There is no way to prevent someone from Michigan, Arkansas, or Canada from accessing the training materials released in California. Essentially, if one state forces manufacturers to release this information it is as if they all have. **Similar to vaccines, the immediate consequences may not be what the advocates expect. In the case of servicing complex medical devices, there are serious quality concerns.** Competitor service businesses also tend to oversimplify critically important issues such as cybersecurity. As my colleague and founder of the FDA’s Office of Biotechnology, Henry Miller, notes “as medical devices became increasingly reliant on a harmonized interaction between their hardware and software components, the cybersecurity consequences of even a slightly imprecise or careless maintenance job have become increasingly stark. It’s exactly for this reason that the Food and Drug Administration holds OEMs [original equipment manufacturers] to mandatory Quality System/Current Good Manufacturing Practices, to ensure that device software updates, patches, and more comprehensive repair jobs are done correctly. Third-party servicers are held to no such standards”. The long-run consequences from violating the intellectual property rights of innovative manufacturers (whether of vaccines or medical devices) are even more troubling. After investing billions of dollars into developing a vaccine or creating a better medical device, innovative manufacturers must be able to recoup their cost of capital. When governments violate their patent rights, they make recouping these costs more difficult and uncertain. The result will be less innovation in the future. **Policies that promote violating intellectual property rights are fool’s gold: the purported benefits are illusory, but the consequences will be severe and include worse quality healthcare today and less healthcare innovation tomorrow.**

## Util DA

## A. Link

The aff claims that life and avoiding extinction is the ultimate value.

## B. Impacts

#### 1. [Joshanloo & Weijers 1] First, they assume the Western prioritization of pleasure is globally true, generalizing and incorrectly representing cultures that have different values.

**Joshanloo & Weijers 1:** Joshanloo, Moshen & Weijers, Dan. [Joshanloo is a professor in the school of Psychology at the Victoria University of Wellington, and Weijers is a professor in the Philosophy Programme at the Victoria University of Wellington] “Aversion to Happiness Across Cultures: A Review of Where and Why People Are Averse to Happiness” *Victoria University of Wellington*, 2012. AZ

A common view in contemporary Western culture is that personal happiness is one of the most important values in life. **For example, in American culture it is believed that failing to appear happy is cause for concern.** These cultural notions are also echoed in contemporary Western psychology (including positive psychology and much of the research on subjective well-being). However, some important (often culturally-based) facts about happiness have tended to be overlooked in the psychological research on the topic. One of these cultural phenomena is that, for some individuals, happiness is not a supreme value. In fact, some individuals across cultures are averse to various kinds of happiness for several different reasons. This article presents the first review of the concept of aversion to happiness. Implications of the outcomes are discussed, as are directions for further research.Key words: Aversion to happiness; values, subjective well-being; happiness; Western psychology; positive psychology; fear of happiness\*School of Psychology, Mohsen.Joshanloo@vuw.ac.nz ^Philosophy Programme, Dan.Weijers@vuw.ac.nzAVERSION TO HAPPINESS 21. IntroductionIn contemporary psychological literature, scientific analysis of individuals’ well-being is focussed on subjective well-being, and is mainly undertaken in the well-established field of happiness studies. Subjective well-being is believed to consist of life satisfaction, the presence of positive affect, and the absence of negative affect (Diener et al., 1999). Ever since the Enlightenment, Westerners have responded to the ideas of liberal modernity, hedonism, and romantic individualism (Christopher & Hickinbottom, 2008) by believing in the sovereignty of individuals over their personal happiness (Haybron, 2008), and the importance of positive mood and affect balance as ingredients of a good life (Christopher, 1999; Tatarkiewicz, 1976). Indeed, Western culture and psychology seem to take for granted that happiness is one of the most important values guiding individuals’ lives, if not the most important. Western culture and psychology also seem to take for granted that happiness is best understood as a personal concept, such that an individual’s happiness is not directly constituted (but may be affected) by the success, health, or psychological well-being of others. In this paper, any unqualified use of the term ‘happiness’ refers to the Western concept of personal happiness that is characterised by satisfaction with life and a preponderance of positive over negative emotions. **Contrary to this Western view, our survey of some less-studied aspects of various cultures reveals that many individuals possess negative views about happiness, and are sometimes averse to it.** In this paper the aversion to happiness, and particularly different reasons why different cultures are averse to happiness, are analysed through a brief review of relevant theoretical and empirical literature on happiness from a variety of cultures and academic disciplines. We find that there are many claimed justifications2AVERSION TO HAPPINESS 3for being averse to happiness, and that at least some people from all cultures are likely to be averse to some kind of happiness for these reasons. We conclude that this important aspect of human culture should be given consideration in future studies on happiness, and that such consideration is likely to produce more informed results, especially in cross-cultural studies.We begin with a brief analysis of the sometimes-hidden assumption in Western culture, and the majority of Western research on subjective well-being, that all kinds of happiness are always worthy of active pursuit (Section 2). Then we provide a philosophical analysis of the concept ‘aversion to happiness’ (Section 3). Following this we report on a range of theoretical and empirical research from several cultures to provide evidence that many individuals and cultures tend to not value certain kinds of happiness highly, and may even be averse to happiness for a variety of different reasons (Section 4). We then report on a wider range of research (from psychology, philosophy, cultural studies, and religious studies) to provide evidence for a range of different reasons why people claim to be averse to happiness, including that: being happy causes bad things to happen to you, being happy makes you a worse person, expressing happiness is bad for you and others, and pursuing happiness is bad for you and others (Section 5). Finally, we summarise our findings and discuss the implications, especially for interpreting cross-cultural differences in levels of subjective well-being and designing future studies of subjective well-being across cultures (Section 6).2. **The hegemony of the quest for personal happiness in Western culture Much of the Western research on happiness shares the assumptions that happiness is something that we should want for ourselves and something that we are at least3AVERSION TO HAPPINESS 4partially responsible for attaining for ourselves (Joshanloo 2013a). In the United States, for example, it is commonly assumed that failing to appear happy is cause for concern (Eid & Diener, 2001; Held, 2002; Lyubomirsky, 2000; Menon, 2012). Indeed, “failure to achieve happiness ... can be seen as one of the greatest failures a person can experience” (Morris, 2012, p. 436), and one that he only has himself to blame for (Bruckner, 2012, p. 61). Western psychologists (and some economists) often write as though happiness is universally considered to be one of the highest human goods, if not the highest. For example, Braun (2000) writes “every human being, no matter what culture, age, educational attainment, or degree of physical and mental development, wants to be happy. It is the common end to which all humans strive...” (p. x, see also, e.g., Frey & Stutzer, 2002, p. vii; Myers, 1993; Seligman, 1998).** Indeed, it is not uncommon to read that, in this era of subjective well-being worship, people should strive for happiness in any way possible (Gruber, Mauss, & Tamir, 2011), that psychologists should provide “scientific” short-cuts for them, and that policymakers should tailor policies with an eye to maximising happiness (Zevnik, 2010). Empirical data from research on Western cultures support these notions. For example, North Americans report valuing happiness highly (Triandis et al., 1990) and thinking about it at least once a day (Freedman, 1978). **With respect to the burning desire for personal happiness in Western culture and psychology, Richardson (2012, p. 26) comments that, for Western psychologists, ideals like happiness and well-being function like “god terms” that seem to be beyond doubt or question.** Given such a state of affairs, it is not surprising that there has been a large upsurge in psychological research on subjective well-being over the last three decades. Interest in the study of subjective well-being has leaked into other branches of social4AVERSION TO HAPPINESS 5science as well. Indeed, De Vos (2012) argues that happiness has turned into the hottest topic of contemporary social science. And, while it still doesn’t attract as much scholarly attention as some more established areas of social science, social scientific research on happiness is certainly more likely to be picked up by mainstream media than social scientific research on most other topics. Especially since the rise of the “economics of happiness” (Frey, 2008), psychologists and economists have increasingly called for more attention to subjective well-being as an important basis for guiding policy-making (Diener et al., 2009; Lucas & Diener, 2008). And policymakers have listened to these calls, as shown by the recent release of the United Nations-backed World Happiness Report (Helliwell, Layard, & Sachs, 2012).How about other cultures? Does happiness work as the supreme value or, at least, a key pillar of a good life across all cultures? Acknowledging that there are cultural differences in this regard, Lyubomirsky, Sheldon, and Schkade (2005) maintain that for North Americans the high value of happiness and the importance of its pursuit are intrinsically salient, while for other parts of the world, it is not as important. However, Lyubomirsky and colleagues also claim that the value of happiness and the importance of its pursuit are becoming increasingly salient around the world. That is, with globalization and democratization, people around the world are becoming increasingly obsessed with their personal happiness—their subjective well-being. While there seems to be an element of truth in this claim, other values are still more salient than this kind of happiness for many non-Western cultures. **Many researchers argue that personal happiness is more strongly emphasized in individualistic cultures than in collectivistic cultures, and that the idea of ‘happiness as one of the highest goals, if not the highest’ is far from universal (e.g., Ahuvia, 2001; D’Andrade, 1984; Lutz, 1987; Mesquita & Albert,5AVERSION TO HAPPINESS 62007; Snyder & Lopez, 2007; Wierzbicka, 1994).** For example, Suh (2000) argues that while Westerners feel a strong pressure to be happy (i.e., to attain and express personal happiness), East Asians tend to feel a certain pressure to belong (i.e., to bring about and experience social harmony), and thus their life is more firmly guided by the need to have good interpersonal relationships, than to be happy. When the supreme goal of a culture is social harmony, personal happiness can even be perceived as detrimental to social relationships (Uchida, Norasakkunkit, & Kitayama, 2004). However, as we argue below, the value of social harmony is not the only reason people in non-Western cultures are wary of the Western tendency to focus on personal happiness.3. Aversion to happiness: The conceptThe concept ‘aversion to happiness’ discussed in this paper constitutes a heterogeneous set of con-attitudes about different types of happiness that are based on a diverse group of relatively stable beliefs that certain personal relations with different types of happiness should be avoided for one or more reasons. Divisions within the set of beliefs underpinning aversion to happiness include: the different reasons for believing that people should be averse to happiness, the different extents to which people should be averse to happiness (e.g., happiness is something to be slightly cautious of, to be very cautious of, or to be extremely worried about), the different degrees of happiness that people should be averse to (e.g., some people are only cautious of extreme happiness), the different kinds of happiness that people are averse to (e.g., happiness as pleasure and not pain, happiness as satisfaction with life, happiness as worldly success, or all kinds of personal happiness), and the different relations that an individual can have to happiness (e.g., being happy, expressing happiness, or actively pursuing happiness).