### 1

#### Interp: Before the flip, If a debater asks for the aff 30 minutes before the round then they must also disclose their aff 30 minutes before the round or say its new.

#### Violation – they asked me to send the aff 30 mins before and I did but they didn’t tell me their aff until 10:10 – screenshots in docBackground pattern Description automatically generated with low confidenceA picture containing graphical user interface Description automatically generated

Text

Description automatically generated with medium confidence

#### Standards

#### 1] Pre-round Prep burdens – they have 30 minutes to prepare both our aff and neg strats whereas we can’t prep your aff – supercharged by the fact that you flipped aff.

#### 2] Norming – violating your own interps is self-serving and guts the efficacy of your norms. O/Ws incentivizes freeloading by gaining strat advantages without equalizing the playing field.

#### Fairness and education are voters – its how judges evaluate rounds and why schools fund debate

#### DTD – it’s key to norm set and deter future abuse

#### Competing interps – Reasonability invites arbitrary judge intervention and a race to the bottom of questionable argumentation

#### No RVIs – A – Encourages theory baiting – outweighs because if the shell is frivolous, they can beat it quickly B – its illogical for you to win for proving you were fair – outweighs since logic is a litmus test for other arguments

### 2

#### Text – On September 28th, 2021, States ought to individually domestically establish single-payer national health insurance.

#### Solves evergreening and drug prices while avoiding our innovation turns.

Narayanan 19 Srivats Narayanan 8-15-2019 "Medicare for All and Evergreening" <https://medium.com/@srivats.narayanan/medicare-for-all-and-evergreening-cb84c930e0ea> (UMKC School of Medicine)//Elmer

Drug companies rake in massive profits. The pharmaceutical industry has some of the largest profit margins among American industries. Unfortunately, pharmaceutical giants don’t always have patients’ best interests in mind — they make a big portion of their money by exploiting the patent process instead of making breakthrough drugs that would meaningfully improve patients’ lives. Pharmaceutical corporations aren’t as innovative as one might expect. Although the Food and Drug Administration (FDA) has been consistently approving new (and expensive) drugs every year, most of these drugs aren’t impacting healthcare much. Many studies have revealed that a whopping 85–90% of new drugs since the mid-1990s “provide few or no clinical advantages.” This is because pharmaceutical firms are spending their time and money on a technique known as “evergreening.” Evergreening is when drug companies produce redundant drugs that are nothing but minor modifications of old drugs. By making slight alterations to their medicines, biotech companies continue to hold patents for drugs with minimal spending on research and development (R&D). Pharmaceutical companies then use those patents to prevent competitors from selling generic versions of their drugs. Without any competition, these corporations get away with ridiculously high drug pricing and can thus make big profits on their drugs. The companies simultaneously justify their absurd drug prices by pointing to the inflated R&D costs of producing new drugs. This excuse has been used time and again by the profit-hungry pharmaceutical industry, and it’s coming at the expense of patients who struggle to afford their medicines. A well-known example of evergreening pertains to the anticonvulsant medication gabapentin, which was first sold by Pfizer under the brand name Neurontin. When the drug became available as a generic medication over a decade ago, Pfizer created a very similar medicine, pregabalin (Lyrica), that didn’t have any significant benefits over the original drug. As a result, Pfizer has kept a control over the market for anticonvulsant drugs with negligible innovation. The drug industry’s reliance on evergreening is undoubtedly stifling innovation. This is where **Medicare for All**, **which would impose the government as the only health insurer**, **would be useful**. **In our current system**, **there are many insurers** **and they each have** **little market power** **and** consequently **little negotiating power** **to reduce** treatment **prices**. **Since the government would have** **consolidated control over healthcare financing** under Medicare for All, **its stronger bargaining power would force drug companies to charge lower prices for their products**. In addition, prescription drugs would be paid for by the government and not by patients under Medicare for All. **Medicare for All would prevent evergreening**. **National healthcare financing** **would align** **how much the government pays a drug company with how much patients benefit** from the company’s drugs. **If a new drug had more clinical benefits** than an older version, **the government would pay more** for it. If a new drug produced the same results as an older version, the government wouldn’t pay more for the new drug. So, Medicare for All would **encourage** pharmaceutical **companies to pursue truly innovative drugs because such drugs would be more profitable**. The policy would incentivize companies to invest in R&D for more useful drugs, instead of just producing redundant and expensive medications. A national healthcare plan would prioritize “patient and community needs” and match up pharmaceutical companies’ interests with actually improving public health. Evergreening has become the name of the game for the pharmaceutical industry. A major solution to the evergreening problem is Medicare for All. **A single-payer system** like Medicare for All **would sharply curtail evergreening**, since drug companies wouldn’t be able to profit from it. Medicare for All would **usher** in **a new era of medical innovation**.

#### The CP solves but now is key for the infrastructure DA

Melissa **Quinn, 8-24**-2021, (Politics Reporter at CBSNews.com)"House approves $3.5 trillion budget plan, sets deadline for infrastructure vote," *CBS News*, <https://www.cbsnews.com/news/budget-reconciliation-plan-house-representatives-infrastructure-vote/> Cho

Washington — The House on Tuesday voted to advance the $1 trillion bipartisan infrastructure bill while simultaneously approving a $3.5 trillion budget blueprint that clears the way for Democrats in Congress to take action on a sweeping package that includes President Biden's key domestic policy proposals. Lawmakers voted along party lines 220 to 212 to approve a rule that deemed the budget framework as passed, a key step toward enacting Mr. Biden's broader families plan, and set a September 27 deadline for the House to pass the infrastructure measure. The procedural resolution also moved forward a voting rights bill, a major priority for congressional Democrats, and a vote to pass that legislation is expected later Tuesday. "Passing this rule paves the way for the Building Back Better plan, which will forge legislative progress unseen in 50 years, that will stand for generations alongside the New Deal and the Great Society," House Speaker Nancy Pelosi said on the House floor ahead of the vote. "Any delay in passing the rule threatens the Build Back Better plan, as well as voting rights reform, as well as the bipartisan infrastructure bill. We cannot surrender our leverage."

### 3

#### Biden’s infrastructure bill will pass through reconciliation but absolute Dem Unity is key.

* Turns Structural Violence

Pramuk and Ranck 8-25 Jacob Pramuk and Thomas Franck 8-25-2021 "Here’s what happens next as Democrats try to pass Biden’s multitrillion-dollar economic plans" <https://www.cnbc.com/2021/08/25/what-happens-next-with-biden-infrastructure-budget-bills-in-congress.html> (Staff Reporter at CNBC)//Elmer

WASHINGTON — **House Democrats just patched up a party fracture** **to take a critical step forward with a mammoth economic agenda**. But the **path ahead could get trickier** as party leaders try to thread a legislative needle to pass more than $4 trillion in new spending. **In** the **coming weeks**, **Democrats** **aim to approve** a $1 trillion bipartisan **infrastructure** plan and up to $3.5 trillion in investments in social programs. Passing both **will require a heavy lift**, as leaders will need to **satisfy** **competing demands of centrists** wary of spending **and progressives** who want to reimagine government’s role in American households. The House is leaving Washington **until Sept. 20** after taking key steps toward pushing through the sprawling economic plans. The chamber on Tuesday approved a $3.5 trillion budget resolution and advanced the infrastructure bill, as House Speaker Nancy Pelosi, D-Calif., promised centrist Democrats to take up the bipartisan plan by Sept. 27. The Senate already passed the infrastructure legislation, so **a final House vote would send it to Biden’s desk for his** signature. Now that both chambers have passed the budget measure, **Democrats can move without Republicans** to push through their spending plan **via reconciliation**. Party leaders want committees to write their pieces of the bill by Sept. 15 before budget committees package them into one massive measure that can move through Congress. Committees could start marking up legislation in early September. Party leaders **face a challenge** in coming up with a bill that will satisfy centrists who want to trim back the $3.5 trillion price tag and progressives who consider it the minimum Congress should spend. As **one defection in the Senate** — **and four in the House** — **would sink legislation,** **Democrats have to satisfy a diverse range of views** to pass their agenda. “We write a bill with the Senate because it’s no use doing a bill that’s not going to pass the Senate, in the interest of getting things done,” Pelosi told reporters on Wednesday. Given the magnitude of the legislation, passing it quickly could prove difficult. To appease congressional progressives who have prioritized passage of the budget bill, Democrats could move to pass both proposals at about the same time. While Pelosi gave a Sept. 27 target date to approve the infrastructure plan, the commitment is not binding. Still, she noted Wednesday that Congress needs to pass the bill before surface transportation spending authorization expires Sept. 30. “We have long had an eye to having the infrastructure bill on the President’s desk by the October 1, the effective date of the legislation,” she wrote in a separate letter to Democrats on Wednesday. Democrats say the bills combined will provide a jolt to the economy and a lifeline for households. Supporters of the Democratic spending plan, including Pelosi and Senate Budget Committee Chair Bernie Sanders, I-Vt., have cast it as the biggest expansion of the U.S. social safety net in decades. “This is a truly historic opportunity to pass the **most transformative** and consequential **legislation for families** in a century, and will stand alongside the New Deal and Great Society as pillars of **economic security**,” Pelosi wrote to colleagues Wednesday. The plan would **expand Medicare**, **paid leave** and child care, extend enhanced household tax credits and encourage **green energy adoption**, **while hiking taxes on corporations and the wealthy**. Democrats hope to sell a wave of new support for families as they campaign to keep control of Congress in next year’s midterms. Those elections, though, have helped to generate staunch opposition on the other side of the aisle. The GOP has cited the trillions in new spending and the proposed reversal of some of its 2017 tax cuts in trying to take down the Democratic budget bill. Republicans and some Democrats have in recent weeks said that another $4.5 trillion in fiscal stimulus could not only boost economic growth but have the adverse effect of fueling inflation.

#### They choose Infrastructure as backlash – they bill costs Pharma millions – lobbyists can derail the Agenda.

Brennan 8-2 Zachary Brennan 8-2-2021 "How the biopharma industry is helping to pay for the bipartisan infrastructure bill" <https://endpts.com/how-the-biopharma-industry-is-helping-to-pay-for-the-bipartisan-infrastructure-bill/> (Senior Editor at Endpoint News)//Elmer

Senators on Sunday finalized the text of **a massive, bipartisan infrastructure bill** that contains little **that might** **impact the biopharma industry** other than two ways the legislators are planning to pay for the $1.2 trillion deal. On the one hand, senators are **seeking to** further **delay** a **Trump-era Medicare** Part D **rule** **related to drug rebates**, this time until 2026. Senators claim the rule could end up saving about $49 billion (and that number increased this week to $51 billion), but the PBM industry has attacked it as it would remove rebates from a safe harbor that provides protection from federal anti-kickback laws. The **pharmaceutical industry**, however, is in favor of the rule and **opposes this latest delay** as it continues to point its finger at the PBM industry for the rising cost of out-of-pocket expenses. Debra DeShong, EVP of public affairs at PhRMA, said via email: Despite railing against high drug costs on the campaign trail, lawmakers are threatening to gut a rule that would provide patients meaningful relief at the pharmacy. If it is included in the infrastructure package, this proposal will provide health insurers and drug middlemen a windfall and turn Medicare into a piggybank to fund projects that have nothing to do with lowering out-of-pocket costs for medicines. This would be an unconscionable move that robs patients of the prescription drug savings they deserve to help fill potholes and fund other infrastructure projects. The **other provision** **in the infrastructure bill**, which is estimated to save about $3 billion, **would save money for Medicare** **on discarded medications** from large, single-use drug vials. **Manufacturers will be required to pay refunds** for such discarded drugs, and each manufacturer will be subject to periodic audits on the refunds issued. If manufacturers don’t comply, HHS can fine them the refund amount that they would have paid plus 25%. Drugs that will be excluded from these refund payments include radiopharmaceuticals or imaging agents, as well as those that require filtration during the drug preparation process. So do these two pay-fors mean that the pharma industry is getting off without any serious drug pricing reforms? Not quite, according to Alex Lawson, executive director of Social Security Works. Lawson told Endpoints News in an interview that he still fully expects major drug pricing reforms to make their way through Congress between now and the end of September as Sen. Ron Wyden (D-OR) refines his plan, part of an early fall spending package. Senate Majority Leader Chuck Schumer has promised both the infrastructure and spending package will pass before the Senate leaves for August recess. At the very least in terms of drug pricing provisions, expect to see a combination of the Wyden bill he co-wrote with Sen. Chuck Grassley (R-IA) last year, alongside further Medicare negotiations, Lawson said. “Talk is still optimistic,” Lawson said on the prospects of a drug pricing deal getting done, while noting that **pharmaceutical** company **lobbyists** are **swarming Capitol Hill** at the moment because of **not just drug pricing plans**, but **tax provisions** and the **TRIPS waiver** that the biopharma industry is worried about. “These are **challenges to their entire existence**, **so they’re willing to protect them at any cost**,” Lawson said, noting the target for drug pricing is about $500 billion in savings. As the House has jetted off to enjoy what might be an abbreviated summer recess, the Senate has just this week to get its work done, unless its recess is cut short too. “There’s a **real possibility** that **the whole thing blows up** and we get nothing on either side,” Lawson said.

#### Democrat Senators in Big Pharma’s pocket derails the Plan.

Sirota 8-23 David Sirota 8-23-2021 "Dem Obstructionists Are Bankrolled By Pharma And Oil" <https://www.dailyposter.com/dem-obstructionists-are-bankrolled-by-pharma-and-oil/> (an American journalist, columnist at The Guardian, and editor for Jacobin. He is also a political commentator and radio host based in Denver. He is a nationally syndicated newspaper columnist, political spokesperson, and blogger)//Elmer

The **small group of conservative Democratic lawmakers** that has been **threatening to** help Republicans **halt** **Democrats’ budget package** have **raked in more than $3 million from donors in the pharmaceutical** and fossil fuel **industries** that could see reduced profits if the plan passes. As the House reconvenes today to tackle the budget reconciliation process, nine Democrats legislators have been promising to kill their party’s $3.5 trillion budget bill until Congress first passes a separate, smaller infrastructure spending measure, which has garnered some Republican support and which some environmental advocates say would exacerbate the climate crisis. Indeed, an ExxonMobil lobbyist was recently caught on tape saying the company had worked to strip climate measures out of the infrastructure bill. “**We will vote against a budget resolution** if the infrastructure package isn’t brought up first,” Democratic **Rep**. Josh **Gottheimer** **told** the Washington Post this weekend, **though** the American Prospect reported on Sunday that “**several**” of the **legislators** now **indicated they could back down**. **In the narrowly divided House**, **obstructionism from these** conservative Democrats **could decouple the infrastructure** and budget **measures** from one another. Many believe that would kill the latter by letting conservative Democrats in the Senate such as Kyrsten Sinema (D-Ariz.) and Joe Manchin (D-W.Va.) get the infrastructure bill they want without having to provide the votes necessary to enact the much larger and more progressive budget measure. “If we were to pass the bipartisan [infrastructure] bill first, then we lose leverage,” Democratic Rep. Ritchie Torres (NY) told the Wall Street Journal. Along with Gottheimer, the eight other Democrats who have threatened to obstruct the budget bill are Carolyn Bordeaux (Ga.), Ed Case (Hawaii), Jim Costa (Calif.), Henry Cuellar (Texas), Jared Golden (Maine), Vicente Gonzalez (Texas), Kurt Schrader (Ore.), and Filemon Vela (TX). The U.S. Chamber of Commerce — Washington’s most powerful corporate lobby group — has been airing digital ads thanking the nine Democrats for their maneuvers. Eight of the nine Democrats represent congressional districts won by President Joe Biden, who supports the reconciliation package. Big Pharma’s Big Allies The reconciliation bill is still being negotiated, and many Democratic lawmakers — including those in key swing districts — are pushing for it to include long-promised legislation to allow Medicare to use its enormous purchasing power to negotiate lower prices for prescription drugs. The **pharmaceutical industry** has **aggressively lobbied against the initiative**, which the Congressional Budget Office has estimated would save Medicare $345 billion in medicine costs. The nine House Democrats threatening to derail the reconciliation bill have raked in nearly $1.2 million from donors in the pharmaceutical and health products industries, according to data compiled by OpenSecrets. Among them are two of the Democratic Party’s **top recipients of health care industry money**: **Gottheimer** ($228,186) **and Schrader** ($614,830). Schrader’s third biggest career donor is Pfizer’s political action committee, and his former chief of staff is now a registered lobbyist for the Pharmaceutical Researchers and Manufacturers Association, the pharmaceutical industry’s main lobbying group. Both Gottheimer and Schrader signed a letter earlier this year slamming Democratic leaders’ legislation to lower prescription drug prices. Eight out of the nine Democrats threatening to kill the budget bill also declined to sponsor Democrats’ standalone legislation to let Medicare negotiate lower drug prices. In the Senate, Sinema’s renewed threat to vote down a final reconciliation bill came after she received $519,000 from donors in the pharmaceutical and health products industries.

#### Infrastructure solves existential climate change – spill-over.

USA Today 7-20 [7-20-2021 "Climate change is at 'code red' status for the planet, and inaction is no longer an option". Editorial Board @ USA Today. Accessed 8/30/21. <https://www.usatoday.com/story/opinion/todaysdebate/2021/07/20/climate-change-biden-infrastructure-bill-good-start/7877118002/> //Recut Xu from Elmer]

Not long ago, climate change for many Americans was like a distant bell. News of starving polar bears or melting glaciers was tragic and disturbing, but other worldly. Not any more. Top climate scientists from around the world warned of a "code red for humanity" in a report issued Monday that says severe, human-caused global warming is become unassailable. Proof of the findings by the United Nations' Intergovernmental Panel on Climate Change is a now a factor of daily life. Due to intense heat waves and drought, 107 wildfires – including the largest ever in California – are now raging across the West, consuming 2.3 million acres. Earlier this summer, hundreds of people died in unprecedented triple-digit heat in Oregon, Washington and western Canada, when a "heat dome" of enormous proportions settled over the region for days. Some victims brought by stretcher into crowded hospital wards had body temperatures so high, their nervous systems had shut down. People collapsed trying to make their way to cooling shelters. Heat-trapping greenhouse gases Scientists say the event was almost certainly made worse and more intransigent by human-caused climate change. They attribute it to a combination of warming Arctic temperatures and a growing accumulation of heat-trapping greenhouse gases caused by the burning of fossil fuels. The consequences of what mankind has done to the atmosphere are now inescapable. Periods of extreme heat are projected to double in the lower 48 states by 2100. Heat deaths are far outpacing every other form of weather killer in a 30-year average. A persistent megadrought in America's West continues to create tinder-dry conditions that augur another devastating wildfire season. And scientists say warming oceans are fueling ever more powerful storms, evidenced by Elsa and the early arrival of hurricane season this year. Increasingly severe weather is causing an estimated $100 billion in damage to the United States every year. "It is honestly surreal to see your projections manifesting themselves in real time, with all the suffering that accompanies them. It is heartbreaking," said climate scientist Katharine Hayhoe. Rising seas from global warming Investigators are still trying to determine what led to the collapse of a Miami-area condominium that left more than 100 dead or missing. But one concerning factor is the corrosive effect on reinforced steel structures of encroaching saltwater, made worse in Florida by a foot of rising seas from global warming since the 1900s. The clock is ticking for planet Earth. While the U.N. report concludes some level of severe climate change is now unavoidable, there is still a window of time when far more catastrophic events can be mitigated. But mankind must act soon to curb the release of heat-trapping gases. Global temperature has risen nearly 2 degrees Fahrenheit since the pre-industrial era of the late 19th century. Scientists warn that in a decade, it could surpass a 2.7-degree increase. That's enough warming to cause catastrophic climate changes. After a brief decline in global greenhouse gas emissions during the pandemic, pollution is on the rise. Years that could have been devoted to addressing the crisis were wasted during a feckless period of inaction by the Trump administration. Congress must act Joe Biden won the presidency promising broad new policies to cut America's greenhouse gas emissions. But Congress needs to act on those ideas this year. Democrats cannot risk losing narrow control of one or both chambers of Congress in the 2022 elections to a Republican Party too long resistant to meaningful action on the climate. So what's at issue? A trillion dollar infrastructure bill negotiated between Biden and a group of centrist senators (including 10 Republicans) is a start. In addition to repairing bridges, roads and rails, it would improve access by the nation's power infrastructure to renewable energy sources, cap millions of abandoned oil and gas wells spewing greenhouse gases, and harden structures against climate change. It also offers tax credits for the purchase of electric vehicles and funds the construction of charging stations. (The nation's largest source of climate pollution are gas-powered vehicles.) Senate approval could come very soon. Much more is needed if the nation is going to reach Biden's necessary goal of cutting U.S. climate pollution in half from 2005 levels by 2030. His ideas worth considering include a federal clean electricity standard for utilities, federal investments and tax credits to promote renewable energy, and tens of billions of dollars in clean energy research and development, including into ways of extracting greenhouse gases from the skies. Another idea worth considering is a fully refundable carbon tax. The vehicle for these additional proposals would be a second infrastructure bill. And if Republicans balk at the cost of such vital investment, Biden is rightly proposing to pass this package through a process known as budget reconciliation, which allows bills to clear the Senate with a simple majority vote. These are drastic legislative steps. But drastic times call for them. And when Biden attends a U.N. climate conference in November, he can use American progress on climate change as a mean of persuading others to follow our lead. Further delay is not an option.

## 4

#### The litmus test for ethics is certainty and non-arbitrariness – blurry guidelines for ethics allows agents to inconsistently understand morality or arbitrarily opt out which renders ethics useless since it can’t serve as a guide to action.

#### Thus, the meta-ethic is practical reason.

#### 1] Empirical Uncertainty – only intrinsic and a priori truths like 1+1=2 are certain for agents – relying on the empirics is incoherent because different agents have different interpretations of history, have access contrasting forms of information, or rely on inconsistent methods for calculation.

#### 2] Solipsism – contingent circumstances such as utility are uncertain – I can never know when

#### 3] Infinite Regress – certainty must answer “why” because it would otherwise allow agents to infinitely question why it’s true – other frameworks allow agents to question every part of it, but questioning reason concedes its authority which proves its inescapable.

#### Practical reason is universalizable – its incoherent to claim that 1+1=2 for me, but not for everyone else.

#### Thus, the standard is consistency with universalizable maxims – actions are ethical insofar as willing it doesn’t infringe on the ability to will it.

#### Prefer additionally –

#### 1] Performativity – when you enter debate, you presume that you will be free to set and pursue ends in the round because of a system of reciprocally enforced constraints.

#### 2] The existence of extrinsic goodness requires unconditional human worth—that means we must treat others as ends in themselves.

Korsgaard ’83 (Christine M., “Two Distinctions in Goodness,” The Philosophical Review Vol. 92, No. 2 (Apr., 1983), pp. 169-195, JSTOR) OS

The argument shows how Kant's idea of justification works. It can be read as a kind of regress upon the conditions, starting from an important assumption. The assumption is that when a rational being makes a choice or undertakes an action, he or she supposes the object to be good, and its pursuit to be justified. At least, if there is a categorical imperative there must be objectively good ends, for then there are necessary actions and so necessary ends (G 45-46/427-428 and Doctrine of Virtue 43-44/384-385). In order for there to be any objectively good ends, however, there must be something that is unconditionally good and so can serve as a sufficient condition of their goodness. Kant considers what this might be: it cannot be an object of inclination, for those have only a conditional worth, "for if the inclinations and the needs founded on them did not exist, their object would be without worth" (G 46/428). It cannot be the inclinations themselves because a rational being would rather be free from them. Nor can it be external things, which serve only as means. So, Kant asserts, the unconditionally valuable thing must be "humanity" or "rational nature," which he defines as "the power set to an end" (G 56/437 and DV 51/392). Kant explains that regarding your existence as a rational being as an end in itself is a "subjective principle of human action." By this I understand him to mean that we must regard ourselves as capable of conferring value upon the objects of our choice, the ends that we set, because we must regard our ends as good. But since "every other rational being thinks of his existence by the same rational ground which holds also for myself' (G 47/429), we must regard others as capable of conferring value by reason of their rational choices and so also as ends in themselves. Treating another as an end in itself thus involves making that person's ends as far as possible your own (G 49/430). The ends that are chosen by any rational being, possessed of the humanity or rational nature that is fully realized in a good will, take on the status of objective goods. They are not intrinsically valuable, but they are objectively valuable in the sense that every rational being has a reason to promote or realize them. For this reason it is our duty to promote the happiness of others-the ends that they choose-and, in general, to make the highest good our end.

#### Negate –

#### 1] IP rights are necessary for subject formation – creators are isolated and properly conceived under IP which is a sequencing question to understanding the function of agency.

Kanning 12 [Michael A. Kanning (Graduate School at University of South Florida). “A Philosophical Analysis of Intellectual Property: In Defense of Instrumentalism”. A thesis submitted in partial fulfillment of the requirements for the degree of Master of Arts Department of Philosophy College of Arts and Sciences University of South Florida. January 2012. Accessed 8/22/21. <https://digitalcommons.usf.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=5290&context=etd> //Xu]

As noted previously in my discussion of the utilitarian justification, determining precisely how to maximize something like innovation or creative expression through the use of intellectual property is a difficult and complicated task. I have argued that this difficulty was not sufficient grounds to reject the utilitarian or instrumentalist accounts as a foundation. Much to the contrary, for the instrumentalist, this empirical task is the most important project in the analysis and development of intellectual property policies. One way to proceed in this analysis would be to engage in a kind of armchair economics, speculating about what motivates people to create, and then speculating about how institutions and rewards can be arranged to help encourage creative efforts. But this method is decidedly unempirical. Nonetheless, something like this is what is usually offered as a utilitarian justification - that intellectual property rights reward people who engage in costly and risky creative efforts. Without such a system of reward, we would not have as much creativity and innovation in the world. This is taken as an axiomatic truth. I do not intend to argue that this is false, only that is needs to be proven. The instrumentalist is committed to an empiricism that necessitates a more scientific and well-documented analysis about what best facilitates creative and innovative processes. This task cannot be taken up here. In fact, as Merges noted, there is much work already done in this area, but the verdict is still out. What can be done here is a brief conceptual analysis of the things that make up the creative process, broadly conceived. Most prominent in the rhetoric of intellectual property law is the concept of creator who serves as the ultimate or efficient cause of some new thing. As an illustration of this, recall that most of the classical justifications covered in Chapter 1 centered around a solitary creator, conceived of as a laborer (in Lockean theory), or as an self-contained individual or personality (in the Kantian and Hegelian theories). Creators, whether inventors, authors, artists or innovators, are isolated and identified, granted ownership rights and rewarded. If we are to have an ideally-functioning set of intellectual property laws that best achieve their established ends, it is important that creators are properly conceived of. A clear notion of the creative entity will allow us to ensure that whatever incentives or pecuniary rewards are distributed are done so in a way that best achieves the goals of the intellectual property system.

#### 2] IPRs are key to recognize the original creator’s role in ownership.

Zeidman and Gupta 16 [Bob Zeidman (one of the leading experts on intellectual property, particularly as it relates to software. He is the president and founder of Zeidman Consulting, a premier contract research and development firm in Silicon Valley that focuses on engineering consulting to law firms about intellectual property disputes) & Eashan Gupta (Investment Banking Analyst at William Blair). “Why Libertarians Should Support a Strong Patent System”. IP Watchdog. January 5, 2016. Accessed 9/3/21. <https://www.ipwatchdog.com/2016/01/05/why-libertarians-should-support-a-strong-patent-system/id=64438/> //Xu]

The issue intellectual property has divided libertarians as to whether there can really be ownership in the result of result of human creativity, and continues to do so today. Some libertarians believe that inventors deserve a claim to their hard work, while others argue that patents are government-enforced monopolies and that the current United States patent system needs to be reformed. What the patent and copyright laws acknowledge is the paramount role of mental effort in the production of material values. These laws protect the mind’s contribution in its purest form: the origination of an idea. The subject of patents and copyrights is intellectual property. Ayn Rand strongly supported patents. In her book “Capitalism: The Unknown Ideal,” she states: An idea as such cannot be protected until it has been given a material form. An invention has to be embodied in a physical model before it can be patented; a story has to be written or printed. But what the patent or copyright protects is not the physical object as such, but the idea which it embodies. By forbidding an unauthorized reproduction of the object, the law declares, in effect, that the physical labor of copying is not the source of the object’s value, that that value is created by the originator of the idea and may not be used without his consent; thus the law establishes the property right of a mind to that which it has brought into existence.

#### NCC – anything else allows them to concede all our framework interactions and just go for 4 minutes of turns against our NC which o/w since phil is the only thing unique to LD Debate and time is the only quantifiable metric of abuse

## 5

#### Reasonability on 1AR shells – 1AR theory is very aff-biased because the 2AR gets to line-by-line every 2NR standard with new answers that never get responded to

#### DTA on 1AR shells - They can blow up blippy 20 second shells in the 2AR but I have to split my time and can’t preempt 2AR spin which necessitates judge intervention

#### RVIs on 1AR theory – 1AR being able to spend 20 seconds on a shell and still win forces the 2N to allocate at least 2:30 on the shell which means RVIs check back time skew

#### No new 1ar theory paradigm issues- A] New 1ar paradigms moot any 1NC theoretical offense B] introducing them in the aff allows for them to be more rigorously tested

## Case

#### No aff rvis – a] in the context of t which isn’t our shell b] judges check they wont vote on shells that are undeveloped

#### No aff reasonability – a] again in the context of t that’s not us b] just have disclosure practices solves for any need for reasonability

### Fw

#### Moen – a] masacists disprove b] we only udnerstnd this through reason

#### Goodin 90 – a] is ought fallacy b] German Basic law proves governments use Kant

**Ripstein**, Arthur. Force and Freedom: Kant's Legal and Political Philosophy. Harvard University Press, 2009. \*bracketed for clarity and grammar\*

Strictly speaking, the right to dignity is not an enumerated right in **the German Basic Law**, but the organizing principle under which all enumerated rights—ranging from life and security of the person through freedom of expression, movement, association, and employment and the right to a fair trial to equality before the law—are organized. It appears as Art. I.1: **“Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authority.”** Art. I.3 explains that the enumerated rights follow: “**The following basic rights shall bind the legislature, the executive, and the judiciary as directly applicable law.”** Other, enumerated rights are subject to proportionality analysis, through which they can be restricted in light of each other so as to give effect to a consistent system of rights. The right to dignity is the basis of the state’s power to legislate and so is not subject to any limitation, even in light of the enumerated rights falling under it, because—to put it in explicitly Kantian terms—citizens could not give themselves a law that turned them into mere objects.

#### OV to extinction ows – a] freezes action b] morally repuganant

#### On a point – a] fallacy of origin b] no reason for why we should improve society

#### On b point – no way to compare suffering ie ten headaches doesn’t equal a migraine

#### On c point – a] debate solves we become certain about things and resolve rounds b] No il between why uncertainty means we absolutely need to put extinction first

#### On d point – cant compare deaths some are worse than others means we should look to kant w clear ideals of violations of freedom

### Advantage

#### Their solvency advo is a one and done approach that only is meant to solve for evergreening don’t allow new 1ar reclarification

#### Evergreening is an incoherent concept AND anti-trust solves it

IP Watch 18 9-21-2018 "Inside Views: Why Follow-On Pharmaceutical Innovations Should Be Eligible For Patent Protection" <https://www.ip-watch.org/2018/09/21/follow-pharmaceutical-innovations-eligible-patent-protection/> (a non-profit independent news service that provides professional coverage of global policymaking on intellectual property and innovation.)//Elmer + Highlighted by Joey

“**Evergreening**” – an **Incoherent Concept** Drug innovators are often accused of using secondary patents to “evergreen” the patent protection of existing drugs, based on an assumption that a **secondary patent** somehow extends the patent protection of a drug after the primary patent on the active ingredient is expired. As a general matter, this is a **false** assumption — a patent on an **improved formulation**, for example, is limited to that improvement and does **not extend** patent protection for the original formulation. Once the patents covering the **original formulation** have **expired**, generic companies are free to **market** a **generic** version of the original product, and patients willing to forgo the benefits of the improved formulation can **choose to purchase** the generic product, **free of** any **constraints** imposed by the patent on the improvement. Of course, drug innovators hope that doctors and their patients will see the benefits of the improved formulation and be willing to pay a premium for it, but it is important to bear in mind that ultimately it is patients, doctors, and **third-party** payers who **determine** whether the **value** of the improvement justifies the costs. Of course, this **assumes** a reasonably **well-functioning** pharmaceutical **market**. If that market breaks down in a manner that forces patients to pay higher prices for a patented new version of a drug that provides little real improvement over the original formulation, then it is the deficiency in the market which should be addressed, rather than the patent system itself. For example, if a drug company is found to have engaged in some anticompetitive activity to block generic competition in the market for the original product once it has gone off patent, then **antitrust** and **competition** laws should be **invoked** to address that problem. If doctors are prescribing an expensive new formulation of a drug that provides little benefit compared to a cheaper, unpatented original product, then that is a deficiency in the market that should be addressed directly, rather than through a broadside attack on follow-on innovation. In short, if is found that secondary patents are being used in a manner that creates an unwarranted extension of patent protection, it is that **misuse** of the patent system which should be addressed directly, **rather than** through what amounts to an attack on the patent **system** itself.

#### Secondary and Follow-on patents are key.

IP Watch 18 9-21-2018 "Inside Views: Why Follow-On Pharmaceutical Innovations Should Be Eligible For Patent Protection" <https://www.ip-watch.org/2018/09/21/follow-pharmaceutical-innovations-eligible-patent-protection/> (a non-profit independent news service that provides professional coverage of global policymaking on intellectual property and innovation.)//Elmer

Why Protect Follow-On Innovation? The **attack on secondary** pharmaceutical **patents is based** in part **on** the **flawed premise** that **follow-on innovation is of marginal value** at best, and thus less deserving of protection than the primary inventive act of identifying and validating a new drug active ingredient. In fact, **follow-on innovation** **can play** a **critical role in transforming** **an interesting drug candidate into a safe and effective treatment option** for patients. A good example can be seen in the case of **AZT** (zidovudine), a drug ironically described in the Guidelines as the “first breakthrough in AIDS therapy.” AZT **began** its life **as a** failed attempt at a **cancer drug**, and it was **only years later** that its potential **application in the fight against AIDS** was realized. Follow-on research resulted in a method-of-use patent directed towards the use of AZT in the treatment of AIDS, and it was this patent that incentivized the investment necessary to bridge the gap between a promising drug candidate and a safe, effective, and FDA-approved pharmaceutical. Significantly, because of the long lag time between the first public disclosure of AZT and the discovery of its use in the treatment of AIDS, patent protection for the molecule per se was unavailable. In a world where follow-on innovation is unpatentable, there would have been no patent incentive to invest in the development of the drug, and without that incentive AZT might have languished on the shelf as simply one more failed drug candidate. Other examples of important drugs that likely never would have been made available to patients without the availability of a “secondary” patent include **Evista** (raloxifene, used in the treatment of osteoporosis and to reduce the risk of invasive breast cancer), **Zyprexa** (olanzapine, used in the treatment of schizophrenia), and an orally-administrable formulation of the antibiotic cefuroxime. **Pharmaceutical development** **is prolonged and unpredictable**, and frequently **a safe and effective drug** **occurs only as a result of** **follow-on innovation** occurring **long** **after the initial synthesis** and characterization of a pharmaceutically interesting chemical compound. The inventions protected by secondary patents can be just as critical to the development of drugs as a patent on the active ingredient itself. The Benefits of Follow-On Innovation The criticism of patents on follow-on pharmaceutical innovation rests on an assumption that follow-on innovation provides little if any benefit to patients, and merely serves as a pretense for extending patent protection on an existing drug. In fact, there are many examples of follow-on products that represent significant improvements in the safety-efficacy profile. For example, the original formulation of Lumigan (used to treat glaucoma) had an unfortunate tendency to cause severe hyperemia (i.e., redeye), and this adverse event often lead patients to stop using the drug, at times resulting in blindness. Subsequent research led to a new formulation which largely alleviated the problem of hyperemia, an example of the type of follow-on innovation that significantly benefits patients but that which would be discouraged by a patent regime that does not reward follow-on innovation. Follow-on pharmaceutical innovation can come in the form of an extended-release formulation that permits the drug to be administered at less frequent intervals than the original formulation. Critics of secondary patents downplay the significance of extended-release formulations, claiming that they represent nothing more than a ploy to extend patent protection without providing any real benefit to patients. In fact, the availability of a drug that can be taken once a day has been shown to improve patient compliance, a significant issue with many drugs, particularly in the case of drugs taken by patients with dementia or other cognitive impairments. Extended-release formulations can also provide a more consistent dosing throughout the day, avoiding the peaks and valleys in blood levels experienced by patients forced to take an immediate-release drug multiple times a day. Other examples of improved formulations that provide real benefits to patients are orally administrable formulations of drugs that could previously only be administered by more invasive intravenous or intramuscular injection, combination products that combine two or more active pharmaceutical agents in a single formulation (resulting in improved patient compliance), and a heat-stable formulation of a lifesaving drug used to treat HIV infection and AIDS (an important characteristic for use in developing countries with a hot climate).

#### One-and-done doesn’t solve international evergreening – alt causes aren’t included in patent, an orphan drug designation, a period of data exclusivity named by Feldman 3.

Hennebry PhD 18 [Sarah Hennebry (BA, BSc (Hons), PhD, MIP Law). “When a 20 year patent term just isn't enough: Market and data exclusivity”. FPA Patent Attorneys. 2018-01-31. Accessed 8/31/21. <https://www.fpapatents.com/resource?id=483> //Xu]

2. Europe In addition to periods of data exclusivity, the European Medicines Agency (EMA) also provides for periods of market exclusivity. Market exclusivity refers to a period where a party wishing to sell a follow-on product is prohibited from doing so, even if regulatory approval has been obtained. a) Data exclusivity Current European regulations provide 8 years of data exclusivity for pharmaceutical products. The period of exclusivity commences from the first marketing authorisation date and relates to the preclinical tests and clinical trials on a medicine that are provided to the EMA to obtain first regulatory approval of a product. During the period of data exclusivity, a third party wishing to obtain regulatory approval of a biosimilar or generic product, may not rely on the data submitted to the EMA in respect of the regulatory approval of an originator product. b) Marketing exclusivity The 8 year data exclusivity period referred to at a) above, is followed by a 2 year market exclusivity period. Ostensibly, this provides the innovator company with a 10 year period from the time of obtaining regulatory approval wherein market entry of a competitor is prohibited. There are no difference between the data and marketing exclusivity periods provided to small molecule pharmaceuticals or biologic pharmaceuticals under the provisions of the EMA. c) Extra market protection The cumulative 10 year period (8 years' data exclusivity plus 2 year marketing exclusivity) may further be extended by 1 year for certain new indications that are demonstrated to provide additional clinical benefit over previous indications. This is often referred to as “extra market protection”. The 1 year extra market protection can be obtained if approval for a new indication is obtained during the initial 8 year period and: there are no existing therapies for that indication; or there are existing therapies for that indication, but there is a significant clinical benefit to using the drug for which the extra market protection is sought. d) Orphan designation The EMA assigns orphan designation to a pharmaceutical product that is approved for the treatment of: a rare condition, where < 5 individual in 10,000 are at risk of the condition; and the condition is serious (ie life threatening or chronically debilitating). The period of market exclusivity for an orphan designated pharmaceutical product is 10 years (rather than 8 years of data exclusivity plus 2 years marketing exclusivity if no orphan designation). This means that a competitor cannot rely on any information submitted to the EMA in respect of the regulatory approval of a follow-on product, until 10 years after the initial marketing approval of the originator product. Market exclusivity is extended by a period of 2 years if the orphan designation also relates to a Paediatric indication. The market exclusivity provisions in respect of pharmaceuticals with orphan designation run in parallel with the data and marketing exclusivity provisions for other pharmaceuticals. For more information on market and data exclusivity in Europe, please see: European Medicines Agency Data Exclusivity 3. Japan There are no data or marketing exclusivity provisions for pharmaceutical products in Japan. However, the effect of post market pharmacovigilance provisions is to ostensibly act as a data exclusivity provision and prevent any generic from coming onto the market during the Post Marketing Surveillance period. Post Market Surveillance is a process whereby the Japanese regulatory authority (Pharmaceuticals and Medical Devices Agency) re-examines the safety and efficacy of new chemical entities and previously approved pharmaceuticals later approved for new indications. The re-examination period lasts for between 4 to 10 years, during which time any data submitted to the regulatory authority by the drug sponsor which relates to the safety of the drug cannot be obtained by generic companies. It is not until after the conclusion of this period that a generic company is able to commence marketing of their product. The re-examination period is 8 years for new chemical entities, and 4 years for new indications. The re-examination period for orphan drugs is 10 years. For more information on post-marketing surveillance in Japan, please see: Post-marketing Safety Measures in Japan 4. Australia The period of data exclusivity is with respect to confidential information submitted to the Therapeutic Goods Administration (TGA) or the Australian Pesticides and Veterinary Medicines Authority (APVMA) by a first sponsor, for the purposes of obtaining regulatory approval of a new product containing a pharmaceutically active ingredient for human use, or products containing active ingredients for veterinary or agricultural use. During the data exclusivity period, the confidential information provided to the TGA or AVPMA cannot be used by a third party, without the consent of the first sponsor. The Therapeutics Goods Act (1989) provides that certain information is ‘protected’ if it meets the following criteria: the information concerns an active component (but not a device) which is contained in an application to register a therapeutic good; the information is not in the public domain and the sponsor has not given written permission for the Secretary to use the information; at the time the application for regulatory approval was lodged, no goods containing the active ingredient were (or had ever been) included in the ARTG; and the therapeutic good has been included in the Register for less than 5 years. Under the Therapeutic Goods Act (“the Act”), the Secretary (of the ARTG) is prohibited from using information that is deemed protected under the Act, when evaluating therapeutic goods (ie other therapeutic goods) for registration in the ARTG. This is slightly different to the situation in other jurisdictions, such as Europe, where the data exclusivity provisions prevent the review or submission of any generic or biosimilar product during the relevant period. Under the Australian provisions, such regulatory approval may still be sought by a competitor during the data exclusivity period, however, the applicant may not rely on any confidential information provided to the TGA in support of the subsequent approval. (In other words, if a third party wishes to obtain approval of a generic or biosimilar product during the data exclusivity period, a full data package must be submitted to the TGA). The period of data exclusivity is 5 years from the date a new product is registered under the Act. Unlike the US and Europe, the Australian data exclusivity regime is restricted to confidential information associated with the registration of new chemical entities. Confidential information associated with the registration of new dosage forms, new routes of administration, new indications or combination products is not eligible for protection by data exclusivity provisions. The result of this is that the first applicant to register, for example, a new indication of a known drug, must rely solely on patent protection to block a competitor from entering the market.

#### No extinction from pandemics

* Death rates as high as 50% didn’t collapse civilization
* Fossil fuel record caps risk at .1% per century
* health, sanitation, medicine, science, public health bodies, solve
* viruses can’t survive in all locations
* refugee populations like tribes, remote researchers, submarine crews, solve

Ord 20 Ord, Toby. Toby David Godfrey Ord (born 18 July 1979) is an Australian philosopher. He founded Giving What We Can, an international society whose members pledge to donate at least 10% of their income to effective charities and is a key figure in the effective altruism movement, which promotes using reason and evidence to help the lives of others as much as possible.[3] He is a Senior Research Fellow at the University of Oxford's Future of Humanity Institute, where his work is focused on existential risk. BA in Phil and Comp Sci from Melbourne, BPhil in Phil from Oxford, PhD in Phil from Oxford. The precipice: existential risk and the future of humanity. Hachette Books, 2020.

Are we safe now from events like this? Or are we more vulnerable? Could a pandemic threaten humanity’s future?10 The Black Death was not the only biological disaster to scar human history. It was not even the only great bubonic plague. In 541 CE the Plague of Justinian struck the Byzantine Empire. Over three years it took the lives of roughly 3 percent of the world’s people.11 When Europeans reached the Americas in 1492, the two populations exposed each other to completely novel diseases. Over thousands of years each population had built up resistance to their own set of diseases, but were extremely susceptible to the others. The American peoples got by far the worse end of exchange, through diseases such as measles, influenza and especially smallpox. During the next hundred years a combination of invasion and disease took an immense toll—one whose scale may never be known, due to great uncertainty about the size of the pre-existing population. We can’t rule out the loss of more than 90 percent of the population of the Americas during that century, though the number could also be much lower.12 And it is very difficult to tease out how much of this should be attributed to war and occupation, rather than disease. As a rough upper bound, the Columbian exchange may have killed as many as 10 percent of the world’s people.13 Centuries later, the world had become so interconnected that a truly global pandemic was possible. Near the end of the First World War, a devastating strain of influenza (known as the 1918 flu or Spanish Flu) spread to six continents, and even remote Pacific islands. At least a third of the world’s population were infected and 3 to 6 percent were killed.14 This death toll outstripped that of the First World War, and possibly both World Wars combined. Yet even events like these fall short of being a threat to humanity’s longterm potential.15 In the great bubonic plagues we saw civilization in the affected areas falter, but recover. The regional 25 to 50 percent death rate was not enough to precipitate a continent-wide collapse of civilization. It changed the relative fortunes of empires, and may have altered the course of history substantially, but if anything, it gives us reason to believe that human civilization is likely to make it through future events with similar death rates, even if they were global in scale. The 1918 flu pandemic was remarkable in having very little apparent effect on the world’s development despite its global reach. It looks like it was lost in the wake of the First World War, which despite a smaller death toll, seems to have had a much larger effect on the course of history.16 It is less clear what lesson to draw from the Columbian exchange due to our lack of good records and its mix of causes. Pandemics were clearly a part of what led to a regional collapse of civilization, but we don’t know whether this would have occurred had it not been for the accompanying violence and imperial rule. The strongest case against existential risk from natural pandemics is the fossil record argument from Chapter 3. Extinction risk from natural causes above 0.1 percent per century is incompatible with the evidence of how long humanity and similar species have lasted. But this argument only works where the risk to humanity now is similar or lower than the longterm levels. For most risks this is clearly true, but not for pandemics. We have done many things to exacerbate the risk: some that could make pandemics more likely to occur, and some that could increase their damage. Thus even “natural” pandemics should be seen as a partly anthropogenic risk. Our population now is a thousand times greater than over most of human history, so there are vastly more opportunities for new human diseases to originate.17 And our farming practices have created vast numbers of animals living in unhealthy conditions within close proximity to humans. This increases the risk, as many major diseases originate in animals before crossing over to humans. Examples include HIV (chimpanzees), Ebola (bats), SARS (probably bats) and influenza (usually pigs or birds).18 Evidence suggests that diseases are crossing over into human populations from animals at an increasing rate.19 Modern civilization may also make it much easier for a pandemic to spread. The higher density of people living together in cities increases the number of people each of us may infect. Rapid long-distance transport greatly increases the distance pathogens can spread, reducing the degrees of separation between any two people. Moreover, we are no longer divided into isolated populations as we were for most of the last 10,000 years.20 Together these effects suggest that we might expect more new pandemics, for them to spread more quickly, and to reach a higher percentage of the world’s people. But we have also changed the world in ways that offer protection. We have a healthier population; improved sanitation and hygiene; preventative and curative medicine; and a scientific understanding of disease. Perhaps most importantly, we have public health bodies to facilitate global communication and coordination in the face of new outbreaks. We have seen the benefits of this protection through the dramatic decline of endemic infectious disease over the last century (though we can’t be sure pandemics will obey the same trend). Finally, we have spread to a range of locations and environments unprecedented for any mammalian species. This offers special protection from extinction events, because it requires the pathogen to be able to flourish in a vast range of environments and to reach exceptionally isolated populations such as uncontacted tribes, Antarctic researchers and nuclear submarine crews. 21 It is hard to know whether these combined effects have increased or decreased the existential risk from pandemics. This uncertainty is ultimately bad news: we were previously sitting on a powerful argument that the risk was tiny; now we are not. But note that we are not merely interested in the direction of the change, but also in the size of the change. If we take the fossil record as evidence that the risk was less than one in 2,000 per century, then to reach 1 percent per century the pandemic risk would need to be at least 20 times larger. This seems unlikely. In my view, the fossil record still provides a strong case against there being a high extinction risk from “natural” pandemics. So most of the remaining existential risk would come from the threat of permanent collapse: a pandemic severe enough to collapse civilization globally, combined with civilization turning out to be hard to re-establish or bad luck in our attempts to do so.

#### No Economic Transition Wars – prefer post-COVID evidence

Walt 20 Stephen M Walt 5-13-2020 "Will a Global Depression Trigger Another World War?" <https://foreignpolicy.com/2020/05/13/coronavirus-pandemic-depression-economy-world-war/> (Stephen M. Walt is the Robert and Renée Belfer professor of international relations at Harvard University.)//Elmer

For these reasons, the pandemic itself may be conducive to peace. But what about the relationship between broader economic conditions and the likelihood of war? Might a few leaders still convince themselves that provoking a crisis and going to war could still advance either long-term national interests or their own political fortunes? Are the other paths by which a deep and sustained economic downturn might make serious global conflict more likely? One familiar argument is the so-called diversionary (or “scapegoat”) theory of war. It suggests that leaders who are worried about their popularity at home will try to divert attention from their failures by provoking a crisis with a foreign power and maybe even using force against it. Drawing on this logic, some Americans now worry that President Donald Trump will decide to attack a country like Iran or Venezuela in the run-up to the presidential election and especially if he thinks he’s likely to lose. This outcome strikes me as unlikely, even if one ignores the logical and empirical flaws in the theory itself. War is always a gamble, and should things go badly—even a little bit—it **would hammer the last nail** in the coffin of Trump’s declining fortunes. Moreover, none of the countries Trump might consider going after **pose an imminent threat** to U.S. security, and even his staunchest supporters may wonder why he is wasting time and money going after Iran or Venezuela at a moment when thousands of Americans are dying preventable deaths at home. Even a successful military action won’t put Americans back to work, create the sort of testing-and-tracing regime that competent governments around the world have been able to implement already, or hasten the development of a vaccine. The same logic is likely to guide the decisions of other world leaders too. Another familiar folk theory is “military Keynesianism.” War generates a lot of economic demand, and it can sometimes lift depressed economies out of the doldrums and back toward prosperity and full employment. The obvious case in point here is World War II, which did help the U.S economy finally escape the quicksand of the Great Depression. Those who are convinced that great powers go to war primarily to keep Big Business (or the arms industry) happy are naturally drawn to this sort of argument, and they might worry that governments looking at bleak economic forecasts will try to restart their economies through some sort of military adventure. I doubt it. It takes a really big war to generate a significant stimulus, and it is **hard to imagine** any country launching a large-scale war—with all its attendant risks—at a moment **when debt** levels are already soaring. More importantly, there are lots of easier and more direct **ways to stimulate the economy**—**infrastructure spending, unemployment insurance, even “helicopter payments**”—and launching a war has to be one of the least efficient methods available. The threat of war usually spooks investors too, which any politician with their eye on the stock market would be loath to do. Economic downturns can encourage war in some special circumstances, especially when a war would enable a country facing severe hardships to capture something of immediate and significant value. Saddam Hussein’s decision to seize Kuwait in 1990 fits this model perfectly: The Iraqi economy was in terrible shape after its long war with Iran; unemployment was threatening Saddam’s domestic position; Kuwait’s vast oil riches were a considerable prize; and seizing the lightly armed emirate was exceedingly easy to do. Iraq also owed Kuwait a lot of money, and a hostile takeover by Baghdad would wipe those debts off the books overnight. In this case, Iraq’s parlous economic condition clearly made war more likely. Yet I cannot think of any country in similar circumstances today. Now is hardly the time for Russia to try to grab more of Ukraine—if it even wanted to—or for China to make a play for Taiwan, because the costs of doing so would clearly outweigh the economic benefits. Even conquering an oil-rich country—the sort of greedy acquisitiveness that Trump occasionally hints at—doesn’t look attractive when there’s a vast glut on the market. I might be worried if some weak and defenseless country somehow came to possess the entire global stock of a successful coronavirus vaccine, but that scenario is not even remotely possible. If one takes a longer-term perspective, however, a sustained economic depression could make war more likely by strengthening fascist or xenophobic political movements, fueling protectionism and hypernationalism, and making it more difficult for countries to reach mutually acceptable bargains with each other. The history of the 1930s shows where such trends can lead, although the economic effects of the Depression are hardly the only reason world politics took such a deadly turn in the 1930s. Nationalism, xenophobia, and authoritarian rule were making a comeback well before COVID-19 struck, but the economic misery now occurring in every corner of the world could intensify these trends and leave us in a more war-prone condition when fear of the virus has diminished. On balance, however, I do not think that even the extraordinary economic conditions we are witnessing today are going to have much impact on the likelihood of war. Why? First of all, if depressions were a powerful cause of war, **there would be a lot more** of the latter. To take one example, the United States has suffered 40 or more recessions since the country was founded, yet it has fought perhaps 20 interstate wars, most of them unrelated to the state of the economy. To paraphrase the economist Paul Samuelson’s famous quip about the stock market, if recessions were a powerful cause of war, they would have predicted “nine out of the last five (or fewer).” Second**, states do not start wars unless they believe they will win a quick** and relatively cheap victory. As John Mearsheimer showed in his classic book Conventional Deterrence, national leaders avoid war when they are convinced it will be long, bloody, costly, and uncertain. To choose war, political leaders have to convince themselves they can either win a quick, cheap, and decisive victory or achieve some limited objective at low cost. Europe went to war in 1914 with each side believing it would win a rapid and easy victory, and Nazi Germany developed the strategy of blitzkrieg in order to subdue its foes as quickly and cheaply as possible. Iraq attacked Iran in 1980 because Saddam believed the Islamic Republic was in disarray and would be easy to defeat, and George W. Bush invaded Iraq in 2003 convinced the war would be short, successful, and pay for itself. The fact that each of these leaders miscalculated badly does not alter the main point: No matter what a country’s economic condition might be, its leaders will not go to war unless they think they can do so quickly, cheaply, and with a reasonable probability of success. Third, and most important, **the primary motivation for most wars is the desire for security, not economic gain**. For this reason, the odds of war increase when states believe the long-term balance of power may be shifting against them, when they are convinced that adversaries are unalterably hostile and cannot be accommodated, and when they are confident they can reverse the unfavorable trends and establish a secure position if they act now. The historian A.J.P. Taylor once observed that “every war between Great Powers [between 1848 and 1918] … started as a preventive war, not as a war of conquest,” and that remains true of most wars fought since then. The bottom line: Economic conditions (i.e., a depression) may affect the broader political environment in which decisions for war or peace are made, but they are only one factor among many and rarely the most significant. Even if the COVID-19 pandemic has large, lasting, and negative effects on the world economy—as seems quite likely—it is not likely to affect the probability of war very much, especially in the short term. To be sure, I can’t rule out another powerful cause of war—stupidity—especially when it is so much in evidence in some quarters these days. So there is no guarantee that we won’t see misguided leaders stumbling into another foolish bloodletting. But given that it’s hard to find any rays of sunshine at this particular moment in history, I’m going to hope I’m right about this one.