## NC – T

#### Interpretation: intellectual property protections is a generic bare plural. The aff may not defend that member nations of the World Trade Organization reduce a subset of intellectual property protections for medicines.

Nebel 19 Jake Nebel [Jake Nebel is an assistant professor of philosophy at the University of Southern California and executive director of Victory Briefs.] , 8-12-2019, "Genericity on the Standardized Tests Resolution," Briefly, https://www.vbriefly.com/2019/08/12/genericity-on-the-standardized-tests-resolution/ SM

Both distinctions are important. Generic resolutions can’t be affirmed by specifying particular instances. But, since generics tolerate exceptions, plan-inclusive counterplans (PICs) do not negate generic resolutions. Bare plurals are typically used to express generic generalizations. But there are two important things to keep in mind. First, generic generalizations are also often expressed via other means (e.g., definite singulars, indefinite singulars, and bare singulars). Second, and more importantly for present purposes, bare plurals can also be used to express existential generalizations. For example, “Birds are singing outside my window” is true just in case there are some birds singing outside my window; it doesn’t require birds in general to be singing outside my window. So, what about “colleges and universities,” “standardized tests,” and “undergraduate admissions decisions”? Are they generic or existential bare plurals? On other topics I have taken great pains to point out that their bare plurals are generic—because, well, they are. On this topic, though, I think the answer is a bit more nuanced. Let’s see why. 1.1 “Colleges and Universities” “Colleges and universities” is a generic bare plural. I don’t think this claim should require any argument, when you think about it, but here are a few reasons. First, ask yourself, honestly, whether the following speech sounds good to you: “Eight colleges and universities—namely, those in the Ivy League—ought not consider standardized tests in undergraduate admissions decisions. Maybe other colleges and universities ought to consider them, but not the Ivies. Therefore, in the United States, colleges and universities ought not consider standardized tests in undergraduate admissions decisions.” That is obviously not a valid argument: the conclusion does not follow. Anyone who sincerely believes that it is valid argument is, to be charitable, deeply confused. But the inference above would be good if “colleges and universities” in the resolution were existential. By way of contrast: “Eight birds are singing outside my window. Maybe lots of birds aren’t singing outside my window, but eight birds are. Therefore, birds are singing outside my window.” Since the bare plural “birds” in the conclusion gets an existential reading, the conclusion follows from the premise that eight birds are singing outside my window: “eight” entails “some.” If the resolution were existential with respect to “colleges and universities,” then the Ivy League argument above would be a valid inference. Since it’s not a valid inference, “colleges and universities” must be a generic bare plural. Second, “colleges and universities” fails the upward-entailment test for existential uses of bare plurals. Consider the sentence, “Lima beans are on my plate.” This sentence expresses an existential statement that is true just in case there are some lima beans on my plate. One test of this is that it entails the more general sentence, “Beans are on my plate.” Now consider the sentence, “Colleges and universities ought not consider the SAT.” (To isolate “colleges and universities,” I’ve eliminated the other bare plurals in the resolution; it cannot plausibly be generic in the isolated case but existential in the resolution.) This sentence does not entail the more general statement that educational institutions ought not consider the SAT. This shows that “colleges and universities” is generic, because it fails the upward-entailment test for existential bare plurals. Third, “colleges and universities” fails the adverb of quantification test for existential bare plurals. Consider the sentence, “Dogs are barking outside my window.” This sentence expresses an existential statement that is true just in case there are some dogs barking outside my window. One test of this appeals to the drastic change of meaning caused by inserting any adverb of quantification (e.g., always, sometimes, generally, often, seldom, never, ever). You cannot add any such adverb into the sentence without drastically changing its meaning. To apply this test to the resolution, let’s again isolate the bare plural subject: “Colleges and universities ought not consider the SAT.” Adding generally (“Colleges and universities generally ought not consider the SAT”) or ever (“Colleges and universities ought not ever consider the SAT”) result in comparatively minor changes of meaning. (Note that this test doesn’t require there to be no change of meaning and doesn’t have to work for every adverb of quantification.) This strongly suggests what we already know: that “colleges and universities” is generic rather than existential in the resolution. Fourth, it is extremely unlikely that the topic committee would have written the resolution with the existential interpretation of “colleges and universities” in mind. If they intended the existential interpretation, they would have added explicit existential quantifiers like “some.” No such addition would be necessary or expected for the generic interpretation since generics lack explicit quantifiers by default. The topic committee’s likely intentions are not decisive, but they strongly suggest that the generic interpretation is correct, since it’s prima facie unlikely that a committee charged with writing a sentence to be debated would be so badly mistaken about what their sentence means (which they would be if they intended the existential interpretation). The committee, moreover, does not write resolutions for the 0.1 percent of debaters who debate on the national circuit; they write resolutions, at least in large part, to be debated by the vast majority of students on the vast majority of circuits, who would take the resolution to be (pretty obviously, I’d imagine) generic with respect to “colleges and universities,” given its face-value meaning and standard expectations about what LD resolutions tend to mean.

#### It applies to IP protections:

#### Upward entailment test – spec fails the upward entailment test because saying that nations ought to reduce one type of IPP does not entail that those nations ought to reduce all kinds of IPP

#### Adverb test – adding “usually” to the res doesn’t substantially change its meaning because a reduction is universal and permanent

#### Vote neg:

#### Semantics outweigh:

#### T is a constitutive rule of the activity and a basic aff burden – they agreed to debate the topic when they came here

#### Jurisdiction – you can’t vote aff if they haven’t affirmed the resolution

#### It’s the only stasis point we know before the round so it controls the internal link to engagement – there’s no way to use ground if debaters aren’t prepared to defend it

#### Limits – there are countless affs accounting for every kind of intellectual property protections, like tertiary patents, provisional patents, and design patents – unlimited topics incentivize obscure affs that negs won’t have prep on – limits are key to reciprocal prep burden – potential abuse doesn’t justify foregoing the topic and 1AR theory checks PICs

#### Ground – spec guts core generics like innovation that rely on reducing all kinds of IP for all medicines because individual types of IP don’t substantially affect the pharmaceutical industry – also means there is no universal DA to spec affs

#### TVA solves – read as an advantage to whole rez

#### Paradigm issues:

#### Drop the debater – their abusive advocacy skewed the debate from the start

#### Comes before 1AR theory – NC abuse is responsive to them not being topical

#### No RVIs – fairness and education are a priori burdens – and encourages baiting – outweighs because if T is frivolous, they can beat it quickly

#### Fairness is a voter ­– necessary to determine the better debater

#### Education is a voter – why schools fund debate

## 1NC – CP

#### CP: Member nations of the World Trade Organization should enter into a prior and binding consultation with the World Health Organization over reducing intellectual property protections by implementing a one-and-done approach for patent protection. Member nations will support the proposal and adopt the results of consultation.

#### WHO says yes – it supports increasing the availability of generics and limiting TRIPS

Hoen 03 [(Ellen T., researcher at the University Medical Centre at the University of Groningen, The Netherlands who has been listed as one of the 50 most influential people in intellectual property by the journal Managing Intellectual Property, PhD from the University of Groningen) “TRIPS, Pharmaceutical Patents and Access to Essential Medicines: Seattle, Doha and Beyond,” Chicago Journal of International Law, 2003] JL

However, subsequent resolutions of the World Health Assembly have strengthened the WHO’s mandate in the trade arena. In 2001, the World Health Assembly adopted two resolutions in particular that had a bearing on the debate over TRIPS [30]. The resolutions addressed:

– the need to strengthen policies to increase the availability of generic drugs;

– and the need to evaluate the impact of TRIPS on access to drugs, local manufacturing capacity, and the development of new drugs

#### Consultation displays strong leadership, authority, and cohesion among member states which are key to WHO legitimacy

Gostin et al 15 [(Lawrence O., Linda D. & Timothy J. O’Neill Professor of Global Health Law at Georgetown University, Faculty Director of the O’Neill Institute for National & Global Health Law, Director of the World Health Organization Collaborating Center on Public Health Law & Human Rights, JD from Duke University) “The Normative Authority of the World Health Organization,” Georgetown University Law Center, 5/2/2015] JL

Members want the WHO to exert leadership, harmonize disparate activities, and set priorities. Yet they resist intrusions into their sovereignty, and want to exert control. In other words, ‘everyone desires coordination, but no one wants to be coordinated.’ States often ardently defend their geostrategic interests. As the Indonesian virus-sharing episode illustrates, the WHO is pulled between power blocs, with North America and Europe (the primary funders) on one side and emerging economies such as Brazil, China, and India on the other. An inherent tension exists between richer ‘net contributor’ states and poorer ‘net recipient’ states, with the former seeking smaller WHO budgets and the latter larger budgets.

Overall, national politics drive self-interest, with states resisting externally imposed obligations for funding and action. Some political leaders express antipathy to, even distrust of, UN institutions, viewing them as bureaucratic and inefficient. In this political environment, it is unsurprising that members fail to act as shareholders. Ebola placed into stark relief the failure of the international community to increase capacities as required by the IHR. Guinea, Liberia and Sierra Leone had some of the world's weakest health systems, with little capacity to either monitor or respond to the Ebola epidemic.20 This caused enormous suffering in West Africa and placed countries throughout the region e and the world e at risk. Member states should recognize that the health of their citizens depends on strengthening others' capacity. The WHO has a central role in creating systems to facilitate and encourage such cooperation.

The WHO cannot succeed unless members act as shareholders, foregoing a measure of sovereignty for the global common good. It is in all states' interests to have a strong global health leader, safeguarding health security, building health systems, and reducing health inequalities. But that will not happen unless members fund the Organization generously, grant it authority and flexibility, and hold it accountable.

#### WHO is critical to disease prevention – it is the only international institution that can disperse information, standardize global public health, and facilitate public-private cooperation

Murtugudde 20 [(Raghu, professor of atmospheric and oceanic science at the University of Maryland, PhD in mechanical engineering from Columbia University) “Why We Need the World Health Organization Now More Than Ever,” Science, 4/19/2020] JL

WHO continues to play an indispensable role during the current COVID-19 outbreak itself. In November 2018, the US National Academies of Sciences, Engineering and Medicine organised a workshop to explore lessons from past influenza outbreaks and so develop recommendations for pandemic preparedness for 2030. The salient findings serve well to underscore the critical role of WHO for humankind.

The world’s influenza burden has only increased in the last two decades, a period in which there have also been 30 new zoonotic diseases. A warming world with increasing humidity, lost habitats and industrial livestock/poultry farming has many opportunities for pathogens to move from animals and birds to humans. Increasing global connectivity simply catalyses this process, as much as it catalyses economic growth.

WHO coordinates health research, clinical trials, drug safety, vaccine development, surveillance, virus sharing, etc. The importance of WHO’s work on immunisation across the globe, especially with HIV, can hardly be overstated. It has a rich track record of collaborating with private-sector organisations to advance research and development of health solutions and improving their access in the global south.

It discharges its duties while maintaining a dynamic equilibrium between such diverse and powerful forces as national securities, economic interests, human rights and ethics. COVID-19 has highlighted how political calculations can hamper data-sharing and mitigation efforts within and across national borders, and WHO often simply becomes a convenient political scapegoat in such situations.

International Health Regulations, a 2005 agreement between 196 countries to work together for global health security, focuses on detection, assessment and reporting of public health events, and also includes non-pharmaceutical interventions such as travel and trade restrictions. WHO coordinates and helps build capacity to implement IHR.

#### WHO diplomacy solves great power conflict

Murphy 20 [(Chris, U.S. senator from Connecticut serving on the U.S. Senate Foreign Relations Committee) “The Answer is to Empower, Not Attack, the World Health Organization,” War on the Rocks, 4/21/2020] JL

The World Health Organization is critical to stopping disease outbreaks and strengthening public health systems in developing countries, where COVID-19 is starting to appear. Yemen announced its first infection earlier this month, and other countries in Africa, Asia and the Middle East are at severe risk. Millions of refugees rely on the World Health Organization for their health care, and millions of children rely on the WHO and UNICEF to access vaccines.

The World Health Organization is not perfect, but its team of doctors and public health experts have had major successes. Their most impressive claim to fame is the eradication of smallpox – no small feat. More recently, the World Health Organization has led an effort to rid the world of two of the three strains of polio, and they are close to completing the trifecta.

These investments are not just the right thing to do; they benefit the United States. Improving health outcomes abroad provides greater political and economic stability, increasing demand for U.S. exports. And, as we are all learning now, it is in America’s national security interest for countries to effectively detect and respond to potential pandemics before they reach our shores.

As the United States looks to develop a new global system of pandemic prevention, there is absolutely no way to do that job without the World Health Organization. Uniquely, it puts traditional adversaries – like Russia and the United States, India and Pakistan, or Iran and Saudi Arabia – all around the same big table to take on global health challenges. It has relationships with the public health leaders of every nation, decades of experience in tackling viruses and diseases, and the ability to bring countries together to tackle big projects. This ability to bridge divides and work across borders cannot be torn down and recreated – not in today’s environment of major power competition – and so there is simply no way to build an effective international anti-pandemic infrastructure without the World Health Organization at the center.

#### Ought means should

Merriam Webster, No Date – Merriam Webster’s Learner’s Dictionary, “ought”, <http://www.learnersdictionary.com/definition/ought>  
ought /ˈɑːt/ verb  
Learner's definition of OUGHT [modal verb] 1 ◊ Ought is almost always followed by to and the infinitive form of a verb. The phrase ought to has the same meaning as should and is used in the same ways, but it is less common and somewhat more formal. The negative forms ought not and oughtn't are often used without a following to. — used to indicate what is expected They ought to be here by now. You ought to be able to read this book. There ought to be a gas station on the way. 2 — used to say or suggest what should be done You ought to get some rest. That leak ought to be fixed. You ought to do your homework.

#### Should means must and is immediate

Summers 94 (Justice – Oklahoma Supreme Court, “Kelsey v. Dollarsaver Food Warehouse of Durant”, 1994 OK 123, 11-8, http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13)

¶4 The legal question to be resolved by the court is whether the word "should"[13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13) in the May 18 order connotes futurity or may be deemed a ruling in praesenti.[14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn14) The answer to this query is not to be divined from rules of grammar;[15](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn15) it must be governed by the age-old practice culture of legal professionals and its immemorial language usage. To determine if the omission (from the critical May 18 entry) of the turgid phrase, "and the same hereby is", (1) makes it an in futuro ruling - i.e., an expression of what the judge will or would do at a later stage - or (2) constitutes an in in praesenti resolution of a disputed law issue, the trial judge's intent must be garnered from the four corners of the entire record.[16](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn16) [CONTINUES – TO FOOTNOTE] [13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn13) "*Should*" not only is used as a "present indicative" synonymous with *ought* but also is the past tense of "shall" with various shades of meaning not always easy to analyze. See 57 C.J. Shall § 9, Judgments § 121 (1932). O. JESPERSEN, GROWTH AND STRUCTURE OF THE ENGLISH LANGUAGE (1984); St. Louis & S.F.R. Co. v. Brown, 45 Okl. 143, 144 P. 1075, 1080-81 (1914). For a more detailed explanation, see the Partridge quotation infra note 15. Certain contexts mandate a construction of the term "should" as more than merely indicating preference or desirability. Brown, supra at 1080-81 (jury instructions stating that jurors "should" reduce the amount of damages in proportion to the amount of contributory negligence of the plaintiff was held to imply an *obligation* *and to be more than advisory*); Carrigan v. California Horse Racing Board, 60 Wash. App. 79, [802 P.2d 813](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=802&box2=P.2D&box3=813) (1990) (one of the Rules of Appellate Procedure requiring that a party "should devote a section of the brief to the request for the fee or expenses" was interpreted to mean that a party is under an *obligation* to include the requested segment); State v. Rack, 318 S.W.2d 211, 215 (Mo. 1958) ("should" would mean the same as "shall" or "must" when used in an instruction to the jury which tells the triers they "should disregard false testimony"). [14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn14) In praesenti means literally "at the present time." BLACK'S LAW DICTIONARY 792 (6th Ed. 1990). In legal parlance the phrase denotes that which in law is presently or immediately effective, as opposed to something that will or would become effective in the future *[in futurol*]. See Van Wyck v. Knevals, [106 U.S. 360](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=106&box2=U.S.&box3=360), 365, 1 S.Ct. 336, 337, 27 L.Ed. 201 (1882).

Condo is good:

1. Neg flex – condo is key to allowing the neg to test the aff from multiple perspectives – that outweighs aff strategy – the aff gets infinite prep, but the neg is purely reactionary
2. Info processing – condo teaches us to think quickly and deal with overwhelming amounts of info – most real world. Simulating information overload best prepares students to cope—most valuable skill.

## 1NC – K

#### The aff’s portrayal of a world with reduced IP protections as an “information commons” where medical inequality is solved by deregulation perpetuates the neoliberal myth of a perfect market **Kapczynski 14** [(Amy, a Professor of Law at Yale Law School, Faculty Co-Director of the Global Health Justice Partnership, and Faculty Co-Director of the Collaboration for Research Integrity and Transparency. She is also Faculty Co-Director of the Law and Political Economy Project and cofounder of the Law and Political Economy blog. Her areas of research include information policy, intellectual property law, international law, and global health.) “INTELLECTUAL PROPERTY’S LEVIATHAN” Duke Law, Law & Contemporary problems, 2014. <https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=4710&context=lcp>] BC

Over the last decade or so, a powerful set of critiques has emerged to contest the dominant account just sketched out as well as the contemporary state of IP law.12 These arguments have come from many directions, some even arising from scholars who previously were champions of the dominant account.13 The most prominent and potent line of theoretical critique in the legal literature has come in the guise of arguments for free culture and the “information commons” and has been most influentially articulated by Lawrence Lessig and Yochai Benkler.14 Both have stressed the problems with expansive exclusive rights regimes in information and have also sketched a set of actually existing alternatives to market-based exclusionary forms of information and cultural production.

Lessig has written a series of influential books that have made him a “rock star of the information age,”15 particularly for young Internet and free-culture activists. He has argued powerfully, for example, that existing copyright law is in deep conflict with the radical new possibilities for creativity in the digital age. As he points out, when a mother posting a video of her toddler dancing to a Prince song on YouTube is threatened with a $150,000 fine for copyright infringement, something has gone seriously awry.16 Lessig also contends that copyright law today is too long, too expansive, and instantiates a “permission culture” that is antithetical to free expression in the age of the remix.17 As he puts it, “the Internet has unleashed an extraordinary possibility for many to participate in the process of building and cultivating a culture that reaches far beyond local boundaries,” creating the possibility of markets that “include a much wider and more diverse range of creators,” if not stifled by incumbents who use IP law to “protect themselves against this competition.”18

Benkler’s work has also been extraordinarily formative in the field, particularly for his insights into the multiplicity of modes of information production. As he has stressed, the conventional justification for IP does not account for the many successful and longstanding modes of market nonexclusionary information production.19 For example, attorneys write articles to attract clients, software developers sell services customizing free and opensource software for individual clients, and bands give music away for free to increase revenues from touring or merchandise.20 More pathbreaking still is Benkler’s account of the importance of “commons-based peer production,” a form of socially motivated and cooperative production exemplified by the volunteer network that maintains Wikipedia or the groups of coders who create open-source software products such as the Linux operating system.21 In the digital networked age, as Benkler describes, the tools of information production are very broadly distributed, “creating new opportunities for how we make and exchange information, knowledge, and culture.”22 These changes have increased the relative role in our information economy of nonproprietary production and facilitate “new forms of production [that] are based neither in the state nor in the market.”23 Because commons-based peer production is not hierarchically organized and is motivated by social dynamics and concerns, it also offers new possibilities for human development, human freedom, a more critical approach to culture, and more democratic forms of political participation.24

This line of critique has been profoundly generative and has helped launch an important new conceptualization of the commons as a paradigm. That paradigm, as a recent book puts it, “helps us ‘get outside’ of the dominant discourse of the market economy and helps us represent different, more wholesome ways of being.”25 Proponents of the commons concept draw upon contemporary articulations of successful commons-based resource management by Elinor Ostrom and her followers.26 They do mobilize retellings of the political and economic history of the commons in land in Europe before enclosure,27 and recent evidence from psychology and behavioral economics that suggests that humans have deep tendencies toward cooperation and reciprocation.28 They argue that A key revelation of the commons way of thinking is that we humans are not in fact isolated, atomistic individuals. We are not amoebas with no human agency except hedonistic “utility preferences” expressed in the marketplace. No: We are commoners—creative, distinctive individuals inscribed within larger wholes. We may have unattractive human traits fueled by individual fears and ego, but we are also creatures entirely capable of self-organization and cooperation; with a concern for fairness and social justice; and willing to make sacrifices for the larger good and future generations.29

This stands, of course, as a powerful rebuke to the neoliberal imaginary, which “constructs and interpellates individuals as . . . rational, calculating creatures whose moral autonomy is measured by their capacity for ‘self-care’— the ability to provide for their own needs and service their own ambitions.”30

III

Given this radical—and, in my view, critically important—attempt to rethink the subject at the core of neoliberal accounts, it is all the more striking that proponents of the commons often appear to adopt a neoliberal image of the state. For example, the introduction to a recently edited volume that gathers writings on the commons from seventy-three authors in thirty countries (entitled, tellingly, The Wealth of the Commons: A World Beyond Market and State) has this to say:

The presumption that the state can and will intervene to represent the interests of citizens is no longer credible. Unable to govern for the long term, captured by commercial interests and hobbled by stodgy bureaucratic structures in an age of nimble electronic networks, the state is arguably incapable of meeting the needs of citizens as a whole.31

The commons, they suggest, is a concept that seeks not only to liberate us from predatory and dysfunctional markets, but also from predatory and dysfunctional states. Something immediately seems incongruous here. If people are inherently cooperative reciprocators, why are states irredeemably corrupt? After all, as Harold Demsetz famously wrote in his 1967 attack on Arrow’s optimism about state production of information, “[g]overnment is a group of people.”32

Lessig, one of the progenitors of the language of the commons in the informational domain, often leads with a similar view of the state:

[I]f the twentieth century taught us one lesson, it is the dominance of private over state ordering. Markets work better than Tammany Hall in deciding who should get what, when. Or as Nobel Prize-winning economist Ronald Coase put it, whatever problems there are with the market, the problems with government are more profound.33

Lessig reveals his own sense of the power of this conception of the state when he seeks to tar IP law with the same brush; we should rebel against current IP law, he suggests, because we should “limit the government’s role in choosing the future of creativity.”34

Benkler is more measured but admits as well to viewing the state as “a relatively suspect actor.”35 We should worry, he suggests, that direct governmental intervention “leads to centralization in the hands of government agencies and powerful political lobbies,”36 a view that echoes the neoliberal account described above.

It should perhaps not surprise us that leading critics of neoliberal information policy embrace a neoliberal conception of the state. After all, neoliberalism is not merely an ideology, but also a set of policy prescriptions that may have helped to call forth the state that it has described. As David Harvey puts it, “[t]he neoliberal fear that special-interest groups would pervert and subvert the state is nowhere better realized than in Washington, where armies of corporate lobbyists . . . effectively dictate legislation to match their special interests.”37

There are, it must be said, few areas of law that better exemplify this problem than IP law. For example, Jessica Litman has documented the astonishing process through which the 1976 Copyright Act was drafted, in which Congress delegated most of the drafting to interest groups that were forced to negotiate with one another.38 Other scholars have offered similarly startling accounts of the genesis of the most important IP treaty today, the TradeRelated Aspects of Intellectual Property Rights (TRIPS) Agreement. TRIPS came into force in 1996, revolutionizing international IP law by both imposing new standards and by rendering them enforceable through the WTO’s disputeresolution system, which authorizes trade retaliation to enforce its judgments. Most countries in the world are members of TRIPS, and the Agreement introduced, for developing countries in particular, substantial new obligations, such as the obligation to grant patents on medicines and food-related inventions. Several excellent histories of the treaty have been written, documenting its beginnings as a brash idea proposed by “twelve chief executive officers (representing pharmaceutical, entertainment, and software industries).”39 As Susan Sell has described, the TRIPS Agreement was a triumph of industry organizing. Through TRIPS, Industry revealed its power to identify and define a trade problem, devise a solution, and reduce it to a concrete proposal that could be sold to governments.

#### Neoliberal exploitation causes extinction.

Clark 18 (Brett, associate professor of sociology and sustainability studies at the University of Utah; Stefano B. Longo, Assistant Professor specializing in Environmental Sociology at NC State; “Land–Sea Ecological Rifts”, Land–Sea Ecological Rifts, https://monthlyreview.org/2018/07/01/land-sea-ecological-rifts/)

Covering approximately 70 percent of the Earth’s surface, the World Ocean is “the largest ecosystem.”1 Today all areas of the ocean are affected by multiple anthropogenic effects—such as overfishing, pollution, and emission of greenhouse gases, causing warming seas as well as ocean acidification—and over 40 percent of the ocean is strongly affected by human actions. Furthermore, the magnitude of these impacts and the speed of the changes are far greater than previously understood.2 Biologist Judith S. Weis explains that “the most widespread and serious type of [marine] pollution worldwide is eutrophication due to excess nutrients.”3 The production and use of fertilizers, sewage/waste from humans and farm animals, combustion of fossil fuels, and storm water have all contributed to dramatic increases in the quantity of nutrients in waterways and oceans. Research in 2008 indicated that there were over 400 “dead zones,” areas of low oxygen, mostly near the mouths of rivers.4 Nutrient overloading thus presents a major challenge to maintaining healthy aquatic ecosystems.

Nutrients are a basic source of nourishment that all organisms need to survive. Plants require at least eighteen elements to grow normally; of these, nitrogen, phosphorus, and potassium are called macronutrients, because they are needed in larger quantities. While all essential nutrients exist in the biosphere, these three are the ones most commonly known to be deficient in commercial agricultural production systems. Beginning in the early twentieth century with the Haber-Bosch process, atmospheric nitrogen was converted into ammonia to create synthetic nitrogen fertilizer. The fixation of nitrogen, an energy-intensive process, made the nutrient far more widely available for use in agriculture. This in turn dramatically changed production systems, which no longer depended on legumes and manures to biologically supply nitrogen for other crops such as wheat, corn, and most vegetables.

In the modern era, particularly since the Second World War, the increased production and use of fertilizers served to greatly expand food production and availability. Major macronutrients are routinely applied to soils in order to maintain and increase the growth of plant life on farms, as well as private and public landscapes such as golf courses, nurseries, parks, and residences. They are used to produce fruits, vegetables, and fibers for human and non-human consumption, expand areas of recreation, and beautify communities. However, like many aspects of modern production, given the larger social dynamics and determinants that shape socioecological relationships, these technological and economic developments have generated serious negative—often unforeseen—consequences. The wide expansion and increasing rates of nitrogen and phosphorus application have caused severe damage to aquatic systems in particular. Rivers, streams, lakes, bays (estuaries), and ocean systems have been inundated with nutrient runoff, which has had far-reaching effects.

Here we examine the socioecological relationships and processes associated with the transfer of nutrients from terrestrial to marine systems. We employ a metabolic analysis to highlight the interchange of matter and energy within and between socioecological systems. In particular, we show how capitalist agrifood production contributes to distinct environmental problems, creating a metabolic rift in the soil nutrient cycle. We emphasize how the failure to mend nutrient cycles in agrifood systems has led to approaches that produce additional ruptures, such as those associated with nutrient overloading in marine systems. This analysis reveals the ways that the social relations of capitalist agriculture tend to produce interconnected ecological problems, such as those in terrestrial and aquatic systems. Further, we contend that these processes undermine the basic conditions of life on a wide-ranging scale. It is important to recognize that nutrient pollution of groundwater as well as surface waters has been a major concern since the rise of modern capitalist agriculture and the development of the global food regime.5 The failure to address the metabolic rupture in the soil nutrient cycle and the contradictions of capital are central to contemporary land-sea ecological rifts.

#### The alternative is a global socialist movement that ends globalization

Galant 19 [(Michael, a coordinator of the Wire Pillar of the Progressive International, former economics and trade fellow at Young Professionals in Foreign Policy, MPP from Harvard University’s Kennedy School and BA in political economy from Brown University) “The Battle of Seattle: 20 years later, it's time for a revival” Open Democracy, 11/30/2019. <https://www.opendemocracy.net/en/oureconomy/battle-seattle-20-years-later-its-time-revival/>] BC

20 years ago today, the streets of Seattle became front lines in the global class war.

Over the course of five days, some 40,000 individuals, representing unions, environmental groups, and Leftist organizations from around the world came together in an attempt to disrupt the Ministerial Conference of the World Trade Organization (WTO).

Using direct action tactics, activists physically delayed access to the meeting and led marches, rallies, and teach-ins that drew massive crowds. Protesters of all stripes were attacked by a violent police force – attracting international media coverage. The demonstrations outside became a wedge that would help drive the negotiations inside to collapse. The Battle of Seattle was won.

But the war continued. Seattle was about more than any single organization. The WTO was a symbol of the larger project of neoliberal globalization that was, in 1999, well on its way to reshaping the world in the interest of capital. The Battle of Seattle would become an equally potent symbol of resistance. The WTO protests marked the moment that the Alter-Globalization Movement (AGM), also known as the Global Justice, or disparagingly, the Anti-Globalization Movement, was launched into the public consciousness.

Much has changed in the two decades since. The AGM won many meaningful victories and experienced many more profound losses. Eventually, the movement faded. Today’s global economy resembles the neoliberal nightmare the Seattle protesters were fighting against more than the world they were fighting for. But recent years have revealed cracks in the surface. With an opportunity to finish what was started, it’s time to revive the spirit of Seattle.

Globalization and its dissent

Neoliberal globalization is a political project intended to raise the power of capital to the international level – to cement its supremacy as an immutable universal law beyond the reach of political communities. “Free trade” agreements and WTO rules establish the primacy of profit over democracy, labor, environmental, and consumer protections. World Bank and IMF loan conditions impose austerity, privatization, and deregulation on nations of the Global South. An international system of tax havens allows corporations and wealthy individuals to hoard their plundered resources. Global supply chain fragmentation shields multinationals from accountability for their abuses. Investment treaties unleash finance and corporations to cross borders in search of opportunities for exploitation, setting off a regulatory race to the bottom. If there was doubt before that capitalism must be confronted at the global level to be defeated, the power grab that is neoliberal globalization puts those doubts to rest. Capital is global. Labor must be too.

Yet there are forces preventing such global solidarity. Beginning during the Cold War, the majority of Northern labor accepted a compromise: support a foreign policy that enacts the interests of capital, and benefit from a share of the spoils in the form of minor concessions, a tempered welfare state, and cheap consumer goods. This tacit agreement survived largely intact into the neoliberal era – dividing the interests of a global working class and quelling demands for systemic global change.

The Alter-Globalization Movement rejected the compromise. While activists in the Global South had long resisted destructive free trade agreements and World Bank austerity, occasionally with solidarity from the North, the extremity of turn-of-the-century neoliberalism led to the explosion of a movement that refused to accept the mere crumbs of neocolonial extraction, and sought instead to build an alternative global economy for the many, both North and South.

This was a movement that brought together American anarchists with Korean peasants; libertarian socialist indigenous groups in Mexico with US anti-sweatshop activists; the International Confederation of Free Trade Unions with the Industrial Workers of the World; the Brazilian Movement for Landless Workers with Greenpeace; Filipino anti-capitalist scholars with French farmer activists best known for physically dismantling a McDonald’s. Their demands were many and varied – from land redistribution to the abolition of the World Bank, from a renegotiated NAFTA to the protection of indigenous knowledge of seeds from privatization – but all shared a vision of a global solidarity that would overcome the forces of neoliberal globalization.

Organizing under such a big tent, the AGM is better understood as a dispersed, informal network – a “movement of movements” – than a unified political structure. This fluid network manifested in many forms. The flagship World Social Forum regularly convened activists in an alternative to the annual World Economic Forum. Transnational advocacy networks campaigned on issues such as Global South debt relief. Northern activists used their positions of relative privilege to support local campaigns in the South, fighting water privatization in Bolivia and indigenous displacement from hydroelectric dams in India. And, as in Seattle, meetings of international organizations became rallying points for major global demonstrations.

With these organizing methods, the movement achieved substantial victories. The Jubilee 2000 campaign led to significant debt relief for Southern nations. Potentially disastrous trade agreements from the FTAA to TPP have been, at least temporarily, defeated. International Financial Institutions like the IMF and World Bank – while still agents of global capital – have vastly improved their lending practices since the 90’s. But its greatest successes were intangible: the AGM undermined the hegemonic ambitions embodied in Thatcher’s “There Is No Alternative”, slowed neoliberal globalization’s seemingly inexorable onslaught, and kept alive the flame of resistance during an otherwise nadir of Leftist politics.

The AGM should not, however, be romanticized. Emerging in a moment when the failures of 20th century socialist politics weighed heavily on the Left’s imagination, the AGM turned too far in the opposing direction. Big-tentism led to a dilution of demands and paved the way for the NGO-ization of the World Social Fora. A preference for all things decentralized made grabbing headlines easy, but building lasting political structures difficult. Resistance was often treated as an intrinsically valuable ends, rather than a means to taking power. And criticisms of “neoliberalism” typically fell short of identifying the true enemy – capitalism – or advancing a coherent alternative – socialism.

Ultimately, the neoliberal plan for the global economy succeeded more than not. While resistance to neoliberal globalization would rage on in the South, Northern solidarity faded. The September 11th attacks were the beginning of the end. Energy shifted to the anti-war movement, the state expanded its repression of Leftist organizing, and increased pressures toward “patriotism” led some to reconsider the old foreign policy compromise. By the mid-2000’s, little was left of what the AGM once was.

A call for revival

It’s time to rekindle the flame.

The global economy is still structured in the interest of capital. But the neoliberal consensus has begun to waver under the weight of its own contradictions.

The Right has a response to the crisis. Reactionary nationalists like Trump and Johnson seize upon existing systems of oppression to scapegoat the symptoms of a failed economic model. The problem is not that the global working class has lost out to a global capital class. The problem is that “we” – White, Christian, cishet, native-born Americans – have lost out to “them” – People of Color, immigrants, entire foreign countries, feminists, LGBTQ+ folks, and all those who threaten our supremacy in their struggles for liberation.

The Left must offer an alternative vision. The dramatic growth of socialist organizing and rise in popularity of social democratic politicians should offer great hope. But as the AGM understood, social democracy for the North is not enough. Our socialism must not mean merely a greater share of neocolonial extraction for Northern workers. Our socialism must rightly identify the global nature of our challenge, and unite across borders to confront a globalized capital.

That means internationalizing labor organizing to confront multinational corporations. Changing the rules of trade and investment. Ending tax havens. Building alternatives to the existing intellectual property regime. Holding corporations accountable for abuses in their supply chains. Supporting the struggles of peasants, indigenous peoples, and all global subaltern groups. Democratizing global governance. Opening borders to those displaced by the ravages of global capitalism. Advancing alternative models of development. Transforming, if not abolishing and replacing, the Bretton Woods Institutions. And confronting the all-important threat of climate collapse with, to begin with, a global Green New Deal. These are not minor addendums to a socialist platform. Class war is global. Internationalist demands are fundamental.

Organizations that remain from the AGM, international labor, and newcomers like Justice Is Global, the Fight Inequality Alliance, and Bernie Sanders and Yanis Varoufakis’s Progressive International, are already struggling for this vision. But its fruition depends on the backing of a far broader movement.

Like the AGM, we must take a global frame of analysis, and see neoliberal globalization as a concerted effort to undermine our power. Unlike the AGM, we must understand that neoliberalism is merely one manifestation of a greater enemy.

Like the AGM, we must build diverse, anti-racist, anti-sexist, anti-xenophobic movements that transcend borders. Unlike the AGM, we must not allow fears of centralization to undermine a coherent platform.

Like the AGM, we must reject a class compromise that sacrifices the possibility of a better world for the crumbs of colonialism. Unlike the AGM, we must build lasting political structures that back our rejection with political power.

20 years ago, the streets of Seattle echoed with a chant that would become the defining motto of the movement: “another world is possible!” It still is – if we’re willing to fight for it.

## 1NC – Case