

Framework

I negate.

I value consequentialism. The University of Texas '17 explains,

University of Texas. "Consequentialism - Ethics Unwrapped." Ethics Unwrapped. University of Texas. 2017. Web. 25 Oct. 2017.
<http://ethicsunwrapped.utexas.edu/glossary/consequentialism>

"Consequentialism is an ethical theory that judges whether or not something is right by what its consequences are." For instance, most people would agree that lying is wrong. But if telling a lie would help save a person's life, consequentialism says it's the right thing to do."

Moral rights and wrongs are based on consequences – proves Consequentialism comes first. Johnson '85

Johnson, 85 (Conrad D. Johnson, 'The Authority of the Moral Agent', Journal of Philosophy 82, No 8 (August 1985), pp. 391)

If we follow the usual deontological conception, there are also well-known difficulties. If it is simply wrong to kill the innocent, **the wrongness must in some way be connected to the consequences.** That an innocent person is killed must be a consequence that has some important bearing on the wrongness of the action; else why be so concerned about the killing of an innocent? Further, **if it is wrong in certain cases for the agent to weigh the consequences in deciding whether to kill or to break a promise, it is hard to deny that this has some connection to the consequences.** Following one line of thought, **it is consequentialist considerations of mistrust that stand behind such restrictions on what the agent may take into account.**³ But then again it is hard to deal with that rare case in which the agent can truly claim that his judgement about the consequences is accurate, or, in that

Thus, the value criterion is minimizing harm.

Contention One: US Hegemony

Reduction in IPP allows China to leapfrog over the US in biopharma Lawder '21

[Lawder, Andrea, David. "U.S. Wants COVID Vaccine Patent Waiver to Benefit World, Not Boost China Biotech." Reuters, Reuters, 8 May 2021, www.reuters.com/world/china/us-wants-covid-vaccine-patent-waiver-benefit-world-not-boost-china-biotech-2021-05-08/.] ZW Accessed 12 July 2021.

May 8 (Reuters) - The Biden administration is examining ways to ensure that a waiver of COVID-19 vaccine patents to aid poor countries will not hand sensitive U.S. biopharmaceutical technology to China and Russia, responding to a chorus of concerns, U.S. and industry officials say. President Joe Biden on Wednesday **backed the U.S. entering negotiations** at the World Trade Organization **for the waiver of intellectual property rights as a means to boost vaccine supplies** by allowing poorer countries to make their own. So far, vaccines have gone overwhelmingly to richer nations, which scooped up contracts for them earlier this year. COVID-19 infection rates in wealthy countries have dropped as vaccination rates increased this year, but **infections are still rising in 36 countries**, with India's daily cases skyrocketing to nearly 400,000 a day. Western pharmaceutical companies, many of which have received government support to develop vaccines, strongly oppose the transfer of intellectual property to make them. They say poorer countries will be slow to set up manufacturing capacity and compete for scarce supplies, hitting production. Albert Bourla, CEO of Pfizer Inc, **said** on Friday that the proposed waiver would **disrupt progress made so far** in boosting vaccine supplies. "It will unleash a scramble for the critical inputs we require in order to make a safe and effective vaccine. Entities with little or no experience in manufacturing vaccines are likely to chase the very raw materials we require to scale our production, putting the safety and security of all at risk." Many companies and now some U.S.

officials fear the move **would allow China to leapfrog years of research and erode the U.S. advantage in biopharmaceuticals.** A senior Biden administration official said that while the priority is saving lives, the United States "would want to examine the effect of a waiver on China and Russia before it went into effect to ensure that it's fit for purpose." A question and answer document produced by the administration and shared with industry representatives also acknowledges concerns that **intellectual property sharing could damage the United State's competitive advantage over China,** an industry source familiar with the discussions told Reuters. The contents of the document read to a Reuters reporter by an industry representative said the Biden administration believes it can address those concerns through the WTO negotiations, but did not specify how. The source added that some agencies in the Biden administration have conflicting views of how to address the concerns in negotiations that are expected to take months. Spokespersons at the White House and U.S. Trade Representative's office had no immediate comment on the matter. Pfizer and Moderna spokespersons did not respond to requests for comment on technology transfer concerns, while a Novavax spokesperson referred Reuters to the company's [statement](#) opposing the waiver on Friday, which said proposals to **"weaken intellectual property protections would not achieve equitable vaccine access."** Enforcing limits on use of the technology could be very difficult, once handed over, some analysts say. Messenger RNA, used in COVID-19 vaccines by leaders Pfizer/BioNTech and Moderna, is a newly developed biotechnology that holds promise for treatments far beyond vaccines. **China and Russia have their own vaccines that do not use this biotechnology.** "It took Pfizer and Moderna years and years of research to develop these vaccines," said Gary Locke a former U.S. ambassador to China and U.S. Commerce Secretary. "China, Russia, India, South Africa and others want to gain access. **Their intention is to get the underlying know-how so they can use it to develop further vaccines,**" Locke said. China's Fosun Pharma has struck a deal with BioNTech on COVID-19 vaccine product development, which would potentially give it access to some of the technology. China has high ambitions for its pharma industry and already is developing its own mRNA vaccine. Patents themselves are publicly accessible, noted James Pooley, intellectual property attorney and former deputy director general of the United Nations' World Intellectual Property Organization. But trade secrets developed by Pfizer/BioNTech, Moderna and others, "cook books" of manufacturing processes such as temperature and growing conditions, have not been made public.

US HEGE KEY TO PRODUCE FUTURE MEDS AND MAINTAIN INNOVATION -Lancu '21

Andrei Lancu. "Biden Is Trying to Undermine America's World-Leading IP Protections." *The Washington Times*, The Washington Times, 11 Aug. 2021, www.washingtontimes.com/news/2021/aug/11/biden-is-trying-to-undermine-americas-world-leadin/. Accessed 15 Sept. 2021.

In May of this year, the Biden administration announced its **support for a proposal at the World Trade Organization that would allow other countries to seize American intellectual property on COVID-19 technologies, including vaccines.** On cue, those countries promptly modified their ask. Whereas the original proposal called for the waiver to last a limited number of years, the new proposal makes **the waiver [is] effectively permanent.** And why not? If America is willing to hand over its crown jewels, it might as well demand to keep them forever. As a former Director of the U.S. Patent and Trademark Office, I know that **America's world-leading IP protections laid the foundation for our economic success and technological prowess.** And as an immigrant from a communist nation, I know all too well how disrespect for private property rights undermines innovation and saps economic vitality. Since the Founding Fathers, Americans have understood that private property extends well beyond land, buildings, factories, and machines. The real source of America's power and promise are ideas. Walls, locks, or guards can protect physical property, but the implementation of ideas — new songs, artificial intelligence, or medicines — requires special protections and trust in the rule of law. That's why the Founders included intellectual property rights in the Constitution — in the form of an "exclusive right" for authors and inventors — to "promote the progress of science and useful arts." Indeed, this is the only time the word "right" appears in the Constitution (amendments aside). The Founders knew that only the rule of law, and our respect for it, can protect and enable the development of these ideas. Yet, President Biden undermined that respect by signaling his support for the appropriation of America's intangible assets. In doing so, he jeopardized America's uniquely successful intellectual property system. The history of our nation — indeed, much of the history of the world — since 1789 has been the revolution in knowledge led by American ingenuity in agriculture, industry, medicine, and information technology. Progress like this does not just happen. Indeed, it didn't, for the millennia of the entire human history until our nation's founding a couple of hundred years ago! **It's not a coincidence that the last two centuries of uninterrupted, IP-driven innovation — up to**

and including the miraculous creation in a record time of the Covid vaccines themselves — began when one nation finally committed itself to protect intangible assets as much as physical property. The reason is simple: knowledge is cumulative. Every new discovery becomes the basis for new research. The revolutionary mRNA technology behind Pfizer and Moderna's vaccines is, in fact, an evolutionary iteration of previous — patented — breakthroughs over the last two decades. Sen. Bernie Sanders, among others, turns up his nose at all this science, history, and progress. Like President Biden, he supports waiving vaccine patents because, he says, "We need a people's vaccine, not a profit vaccine." Ignore for a moment that many companies have agreed to sell their vaccines at non-profit prices for the duration of the pandemic, or that the vaccines are completely free for all patients at pharmacies nationwide, or that the federal government pays \$19.50 per Pfizer dose, about \$15 per Moderna dose, and \$10 for the Johnson & Johnson shot — less than the cost of a pizza for medicines that are saving millions of lives and restoring our economy. Instead, focus on the fact that **intellectual property protections enabled the creation of "people's vaccines" in the first place. The choice isn't between cheap vaccines and even cheaper vaccines — it's between shots that are protected by strong IP laws or no shots at all.** The same goes for every industry. If President Biden doesn't protect the IP behind new vaccines, investors and inventors will ask, what other technologies are next? Will similar takings be imposed on climate change technologies, for example? Food processing? Essential semiconductor technologies? **Companies will scale back investments in medical devices, microchips, energy, and everything in between if they think the U.S. Government might waive IP protection after the fact so that others may copy their inventions with impunity.** Of immediate concern is the need for more treatments for Covid-19, especially as the pandemic keeps raging with new variants. Knowing that their IP may be appropriated as soon as it is developed, private industry — especially start-ups and smaller businesses that depend heavily on outside capital — may not invest the resources necessary to develop these new technologies that are desperately needed right now. Here's the reality: **remove patents and other forms of intellectual property, and private-sector investment in innovation dries up.** The government will then try to step in to fill the gap, inefficiently as always. Like the taking of factories to nationalize industry, this taking of intellectual property is effectively the nationalization of our innovation economy. The result will be the same as in every other socialist regime that nationalized its industries: the kind of poverty, corruption, and misery that my family escaped from decades ago. American innovation has cured diseases, enabled human flight, led to the development of computers, and made our nation the envy of the world. **Waiving intellectual property rights could forfeit it all.**

US Hegemony prevents war

Zhang and Shi 2011

[a researcher at the Carnegie Endowment for International Peace, Washington, D.C. ** Columbia University. She also serves as an independent consultant for the Eurasia Group and a consultant for the World Bank in Washington, D.C. "America's decline: A harbinger of conflict and rivalry" <http://www.eastasiaforum.org/2011/01/22/americas-decline-a-harbinger-of-conflict-and-rivalry/>]

This does not necessarily mean that the US is in systemic decline, but it encompasses a trend that appears to be negative and perhaps alarming. Although the US still possesses incomparable military prowess and its economy remains the world's largest, the once seemingly indomitable chasm that separated America from anyone else is narrowing. Thus, the global distribution of power is shifting, and the inevitable result will be a world that is less peaceful, liberal and prosperous, burdened by a dearth of effective conflict regulation. Over the past two decades, no **other state has had the ability to seriously challenge the US military.** Under these circumstances, motivated by both opportunity and fear, many **actors have bandwagoned with US hegemony** and accepted a subordinate role. Canada, most of Western Europe, India, Japan, South Korea, Australia, Singapore and the Philippines have all joined the US, creating a status quo that has tended **to mute great power conflicts.** However, **as the hegemony that drew these powers together withers, so will the pulling power behind the US alliance.** The result will be an international order where power is more diffuse. **American interests and influence can be more readily challenged, and conflicts or wars may be harder to avoid.**

As history attests, power decline and redistribution result in military confrontation. For example, in the late 19th century America's emergence as a regional power saw it launch its first overseas war of conquest towards Spain. By the turn of the 20th century, accompanying the increase in US power and waning of British power, the American Navy had begun to challenge the notion that Britain 'rules the waves.' Such a notion would eventually see the US attain the status of sole guardians of the Western Hemisphere's security to become the order-creating Leviathan shaping the international system with democracy and rule of law. Defining this US-centred system are three key characteristics: enforcement of property rights, constraints on the actions of powerful individuals and groups and some

degree of equal opportunities for broad segments of society. As a result of such **political stability**, free markets, liberal trade and flexible financial mechanisms have appeared. And, with this, many countries have sought opportunities to enter this system, proliferating **stable and cooperative relations**. However, what will happen to these advances as America's influence declines? Given that America's authority, although sullied at times, has benefited people across much of Latin America, Central and Eastern Europe, the Balkans, as well as parts of Africa and, quite extensively, Asia, the answer to this question could affect global society in a profoundly detrimental way. Public imagination and academia have anticipated that a post-hegemonic world would return to the problems of the 1930s: regional blocs, trade conflicts and **strategic rivalry**. Furthermore, multilateral institutions such as the IMF, the World Bank or the WTO might give way to regional organisations. For example, Europe and East Asia would each step forward to fill the vacuum left by Washington's withering leadership to pursue their own visions of regional political and economic orders. **Free markets** would become more politicised — and, well, less free — and major powers would compete for **supremacy**. Additionally, such power plays have **historically possessed a zero-sum element**. In the late 1960s and 1970s, US economic power declined relative to the rise of the Japanese and

Western European economies, with the US dollar also becoming less **attractive**. And, **as American power eroded, so did international regimes** (such as the Bretton Woods System in 1973). **A world without American hegemony is one where great power wars re-emerge**, the liberal international system is supplanted by an authoritarian one, and trade protectionism devolves into restrictive, anti-globalisation barriers. This, at least, is one possibility we can forecast in a future that will inevitably be devoid of unrivalled US primacy.

Contention Two: Innovation

The aff crushes innovation in the pharma sector---incentivizes them to focus on non-important issues.

Glassman 21 [Amanda; 5/6/21; Executive vice president and a senior fellow at the Center for Global Development, a nonpartisan, nonprofit think tank in Washington and London; “*Big Pharma Is Not the Tobacco Industry*,” Barron, <https://www.barrons.com/articles/big-pharma-is-not-the-tobacco-industry-51620315693>] Justin

But here is the crux of the problem: The pharmaceutical industry is not the tobacco industry. They are not merchants of death. The companies are amoral and exist to make money, but their business is not fundamentally immoral. Big Pharma (mostly) develops and sells products that people need to survive and thrive. Their products improve health and welfare. Fights over access to medicines are possible because medicines exist in the first place—medicines that were usually developed by Big Pharma. And yes, the pharmaceutical industry benefits from public subsidy and publicly financed foundational research. But **the companies also put their own capital at risk to develop new products, some of which offer enormous public benefits**. In fact, several of them did just that in the pandemic: **invested their own money to develop patented manufacturing technologies in record time**. Those technologies are **literally saving the world** right now. **Public funding supported research and development, but companies also brought their own proprietary ingenuity and private investments to bear toward solving the world's singular, collective challenge**. Their reward should be **astronomical** given the insane scale of the health and economic benefits these highly efficacious vaccines produce every day. **Market incentives sent a clear signal that further needed innovation—greater efficacy, single doses, more-rapid manufacturing, updated formulations, fast boosters, and others—would be richly rewarded**. Market incentives could also have been used to lubricate supply lines and buy vaccines on behalf of the entire world; with enough money, incredible things can happen. But activist **lobbying to waive patents—a move the Biden administration endorsed yesterday—sends exactly the opposite signal. It says that the most important, valuable innovations will be penalized, not rewarded**. It tells innovators, **don't bother attacking the most important global problems; instead, throw your investment dollars at the next treatment for erectile dysfunction**, which will surely earn you a steady return with far less agita. It is worth going back to first principles. What problem are we trying to solve? **We have highly efficacious vaccines that we would like to get out to the entire world as quickly as possible to minimize, preventable disease and deaths address atrocious inequities, and enable the reopening of society**, trade, and commerce. Hundreds of millions of people have been plunged into poverty over the past year; in the developing world, the pandemic is just getting started. What is the quickest way to get this done? Vaccine manufacturing is not just a recipe; if you attack and undermine the companies that have the know-how, do you really expect they'll be eager to help you set up manufacturing elsewhere? Is the plan to march into Pfizer and force its staff to redeploy to Costa Rica to build a new factory? Do the U.S. administration or activists care that this decision could take years to negotiate at the World Trade Organization, and will likely be litigated for years thereafter? Does it make sense to eliminate the incentive for private companies to invest in vaccine R&D or in the response to the next health emergency? And if the patent waiver is only temporary and building a factory takes months or years, will anyone bother to do so, even if they could? No, none of it makes sense. Worse still, we could solve the policy problem more easily by harnessing market incentives for the global good by ponying up cash to vaccinate the entire world. No confiscation necessary.

TRIPS IP rights are key incentive for innovation

James **Bacchus 20**, adjunct scholar at CATO, “An Unnecessary Proposal: A WTO Waiver of Intellectual Property Rights for COVID-19 Vaccines,” December 16th, 2020, <https://www.cato.org/free-trade-bulletin/unnecessary-proposal-wto-waiver-intellectual-property-rights-covid-19-vaccines#does-novel-virus-present-novel-issues>

Technically, IP rights are exceptions to free trade. A long-standing general discussion in the WTO has been about when these exceptions to free trade should be allowed and how far they should be extended. The continuing debate over IP rights in medicines is only the most emotional part of this overall conversation. Because developed countries have, historically, been the principal sources of IP rights, this lengthy WTO dispute has largely been between developed countries trying to uphold IP rights and developing countries trying to limit them. The debate over the discovery and the distribution of vaccines for COVID-19 is but the latest global occasion for this ongoing discussion. The primary justification for granting and protecting IP rights is that they are incentives for innovation, which is the main source for long-term economic growth and enhancements in the quality of human life. IP rights spark innovation by “enabling innovators to capture enough of the benefits of their own innovative activity to justify taking considerable risks.”¹⁸ The knowledge from innovations inspired by IP rights spills over to inspire other innovations. The protection of IP rights promotes the diffusion, domestically and internationally, of innovative technologies and new know-how. Historically, the principal factors of production have been land, labor, and capital. In the new pandemic world, perhaps an even more vital factor is the creation of knowledge, which adds enormously to “the wealth of nations.” Digital and other economic growth in the 21st century is increasingly ideas-based and knowledge intensive. Without IP rights as incentives, there would be less new knowledge and thus less innovation. In the short term, undermining private IP rights may accelerate distribution of goods and services—where the novel knowledge that went into making them already exists. But in the long term, undermining private IP rights would eliminate the incentives that inspire innovation, thus preventing the discovery and development of knowledge for new goods and services that the world needs. This widespread dismissal of the link between private IP rights and innovation is perhaps best reflected in the fact that although the United Nations Sustainable Development Goals for 2030 aspire to “foster innovation,” they make no mention of IP rights.¹⁹

Pharma innovation is key to healthcare and fighting diseases. Reducing profits kills that. Winegarden ‘16

Wayne Winegarden (Ph.D. is a Sr. Fellow in Business and Economics at the Pacific Research Institute and a Contributing Editor to EconoSTATS.), 7-15-2016. "How To Encourage Pharmaceutical Innovation And Why It Is Important." Forbes.
<https://www.forbes.com/sites/econostats/2016/07/15/regulating-short-term-volatility-will-harm-pharmaceutical-innovation/>

In misplaced attempts to address the problems with the U.S. healthcare industry, many analysts point to specific list price increases on specialty pharmaceutical drugs to claim that high drug prices are driving overall healthcare costs ever higher. Such proclamations misdiagnose the problem with the healthcare industry and risk future innovations that can address pressing healthcare needs. It is true that the average price of medicines grew faster than average over the past two years. Over these two years, there was also a significant increase in new medicines. In 2015, 73 new brand name drugs were introduced, 43 of which were novel therapies. This followed 74 new brand name drugs being introduced in 2014, 45 of which were novel therapies. While troubling practices by the likes of Martin Shkreli of Turing Pharmaceuticals garnered headlines, it should be expected that higher innovation comes with higher costs. And the average drug price increases accelerated during 2014 and 2015 in concert with the increase in new drugs. It is also clear that many of these new drug innovations, such as Sovaldi and Harvoni, provide immense medical benefits to patients. Patients with hepatitis C now have access to a 12-week treatment with a 90% cure rate—prior to these drugs, there was no cure. Periods of higher than average price increases, followed by periods of lower price increases, should also be expected—similar to our stock price examples, price volatility happens. Perhaps more important, over the longer-run, the cost of pharmaceutical drugs have maintained a stable share of overall healthcare expenditures. Accounting for both in-patient and out-patient pharm

pharmaceutical spending, prescription drugs have been between 13% and 14% of total national health expenditures according to a study by the Altarum Institute. According to the Department of Health & Human Services (HHS), which estimates a slightly higher share of pharmaceutical spending, total drug spending has remained between 14% and 17% of total national health expenditures between 2009 and 2015. Moreover, based on the latest expenditure data from the Centers for Medicare and Medicaid Services data, longer-term prescription drug expenditures are growing similarly to longer-term national healthcare expenditures. Between 2006 and 2015, prescription drug expenditures grew 4.1% per year, compared to 4.5% per year for overall healthcare expenditures. And, despite the surge in prescription drug expenditures over the past two years, forecasts for longer-term spending expect pharmaceutical spending to remain around its historical share of total healthcare spending. For instance, HHS predicts prescription drugs will remain just below 17% of total expenditures through 2018. Accounting for discounts, IMS health projects that price increases will return to their historical average growing between 4% and 7% a year by 2020—around the typical cost projections for overall growth in healthcare costs. In light of these data, price control proposals are particularly troubling. **Pharmaceutical price controls will lessen the incentives for future drug innovation.** The likelihood that new therapies will be created to address diseases, such as Alzheimer's, cancer and diabetes will significantly diminish. **Pharmaceutical price controls will also not address the problems plaguing the U.S. healthcare system, therefore the problems of declining care, rising overall healthcare costs, and declining healthcare accessibility will continue unabated. Calls to target pharmaceutical drugs with price controls are misplaced. There are many problems with our current healthcare system that must be addressed. Setting long-term healthcare policies based on short-term price volatility will not effectively address these problem, however. Instead, reforms should start by restructuring the current third party payer system and focus on empowering consumers to enable a higher quality, lower cost healthcare system.**

Decline of medical innovation risks extinction

Sachs 8/17/14—Professor of Sustainable Development, Health Policy and Management @ Columbia University [Jeffrey D. Sachs (Director of the Earth Institute @ Columbia University and Special adviser to the United Nations Secretary-General on the Millennium Development Goals) "Important lessons from Ebola outbreak," Business World Online, August 17, 2014, <http://tinyurl.com/kjgvyro>]

Ebola is the latest of many recent epidemics, also including AIDS, SARS, H1N1 flu, H7N9 flu, and others. AIDS is the deadliest of these killers, claiming nearly 36 million lives since 1981. Of course, even larger and more sudden epidemics are possible, such as the 1918 influenza during World War I, which claimed 50-100 million lives (far more than the war itself). And, though the 2003 SARS outbreak was contained, causing fewer than 1,000 deaths, the disease was on the verge of deeply disrupting several East Asian economies including China's. **There are four crucial facts to understand about Ebola and the other epidemics.** First, **most emerging infectious diseases are zoonoses, meaning that they start in animal populations, sometimes with a genetic mutation that enables the jump to humans.** Ebola may have been transmitted from bats; HIV/AIDS emerged from chimpanzees; SARS most likely came from civets traded in animal markets in southern China; and influenza strains such as H1N1 and H7N9 arose from genetic re-combinations of viruses among wild and farm animals. **New zoonotic diseases are inevitable** as humanity pushes into new ecosystems (such as formerly remote forest regions); **the food industry creates more conditions for genetic recombination; and climate change scrambles natural habitats and species interactions.** Second, **once a new infectious disease appears, its spread** through airlines, ships, megacities, and trade in animal products **is likely to be extremely rapid.** **These epidemic diseases are new markers of globalization, revealing** through their chain of death how **vulnerable the world has become** from the pervasive movement of people and goods. Third, **the poor are the first to suffer and the worst affected.** **The rural poor live closest to the infected animals that first transmit the disease.** They often hunt and eat bushmeat, leaving them vulnerable to infection. **Poor, often illiterate, individuals are generally unaware of how infectious diseases -- especially unfamiliar diseases -- are transmitted, making them much more likely to become infected and to infect others.** Moreover, given **poor nutrition and lack of access to basic health services,** their **weakened immune systems are easily overcome by infections** that better nourished and treated individuals can survive. And "de-medicalized" conditions -- with few if any professional health workers to ensure an appropriate public-health response to an epidemic (such as isolation of infected individuals, tracing of contacts, surveillance, and so forth) -- make initial outbreaks more severe. Finally, **the required** medical responses, including diagnostic tools and effective **medications** and vaccines, inevitably lag behind the emerging diseases. In any event, such tools **must be continually replenished. This requires cutting-edge biotechnology, immunology, and ultimately bioengineering to create large-scale industrial responses** (such as millions of doses of vaccines or medicines in the case of large epidemics).

The AIDS crisis, for example, called forth tens of billions of dollars for research and development -- and similarly substantial commitments by the pharmaceutical industry -- to produce lifesaving antiretroviral drugs at global scale. Yet **each breakthrough**

inevitably leads to the pathogen's mutation, rendering previous treatments less effective. **There is no ultimate victory, only a constant arms race between humanity and disease-causing agents.**

A2 OPPONENT CASE

My opponent engages in **ableism** by relying on people missing quick, blippy arguments in order to win. Thompson '15

Thompson, Marshall. [Former Debater and Coach] "Miscellaneous Thoughts from the Disorganized Mind of Marshall Thompson." NSD Update, April 21, 2015.

The second use of spikes is the attempt to win an argument by not having to defend it. To win the argument because it was conceded rather than because you were able to answer your opponents objections effectively. It seems to me, that the skill set that this reward are not the same skill sets that we want to be assessing when we consider who was the 'better debater.' Now I acknowledge that many will disagree about what it mean to be the 'better debater' and thus my intuition pump may not generate universal appeal, but it seems to me that being the better debater should track more closely with your ability to defend your arguments, than your ability to hide your arguments. For those to whom that is not intuitive, perhaps the following arguments will provide it more credence (these are more illustrative than anything, I personally think the above intuition pump is just as basic as these). **First, I think that evaluating who is the better debater via who dropped spikes excludes lots of specific individuals, especially those with learning disabilities.** I have both moderate dyslexia and extreme dysgraphia. Despite debating for four years with a lot of success I was never able to deal with spikes. I could not 'mind-sweep' because my flow was not clear enough to find the arguments I needed, and I was simply too slow a reader to be able to reread through the relevant parts of a case during prep-time. I was very lucky, my junior year (which was the first year I really competed on the national circuit) spikes were remarkably uncommon. Looking back it was in many ways the low-point for spike. They started to be used some my senior year but not anything like the extent they are used today. **I am entirely confident, however, in saying that if spikes had had anywhere near the same prevalence when I started doing 'circuit' debate as they do now, I—with the specific ways that dyslexia/dysgraphia has affected me—would never have bothered to try to debate national circuit LD (I don't intend to imply this is the same for anyone who has dyslexia or dysgraphia, the particular ways that learning disabilities manifest is often difficult to track).** Now, the mere fact that I would have been prevented from succeeding in the activity and possibly from being able to enjoyably compete is not an argument. I never would have been able to succeed at calligraphy, but I would hardly claim we should therefore not make the calligraphy club about handwriting. **Instead, what I am suggesting is that the values that debate cares about and should be assessing are not questions of handwriting or notation.** We expect notation instrumentally to avoid intervention, but it is not one of the ends of debate in itself. **Thus, if there is a viable principle upon which we can decrease this strategic dimension of spikes but maintain non-intervention I think we should do so.** I was 'good' at philosophy, 'good' at argument generation, 'good' at research, 'good' at casing, 'great' at framework comparison etc. **It seems to me that as long as I can flow well enough to easily follow a non-tricky aff it was proper that my learning disabilities not be an obstacle to my success.** (One other thing to note, while I was a 'framework debater' who could never have been good at spikes because of my learning disability I have never met a 'tricky debater' who could not have succeeded in debate without tricks simply in virtue of their intelligence and technical proficiency; that is perhaps another reason to favor my account.)

5:17



+1 (515) 238-4098 >

iMessage
Today 5:05 PM

hey I'm your opp for the next round, what are you running

I don't know yet

is it going to be traditional

I don't know yet

let me know as soon as you decide

Delivered

I don't feel comfortable disclosing and I haven't disclosed for the entire tournament

My opponent's methodology is bad for debate. They refused to disclose prior to the round and have not disclosed the entire tournament (see screenshots in the doc). Disclosure, or making your past positions available to your opponents, is a norm in the activity to promote quality debates and high-level argumentation. It's key to the educational value of the activity. I have disclosed all my cases on the wiki, gives my opponent unfair advantage. Disclosure supports schools that don't have access to as much material.

Disclosure K

My opponent's methodology is bad for debate. They refused to disclose prior to the round and have not disclosed the entire tournament (see screenshots in the doc). Disclosure, or making your past positions available to your opponents, is a norm in the activity to promote quality debates and high-level argumentation. It's key to the educational value of the activity.

By not disclosing on the wiki, my opponent promotes opportunity hoarding. The lack of public access places me at a competitive disadvantage. They control when it's released and use the time crunch as a way to reinforce their structural advantage. Rury & Rife.

Rury & Rife: Rury, John L. [Professor of Education and History, University of Kansas], and Aaron Tyler Rife [Assistant Professor, Wichita State University]. "Race, Schools, and Opportunity Hoarding: Evidence From a Post-War American Metropolis." *History of Education. Journal of the History of Education Society*. Vol. 47, Issue 1, 2018.

Opportunity hoarding was originally articulated and defined by sociologist Charles Tilly. In his words, it **represents a mechanism of social inequality that 'operates when members of a categorically bounded network acquire access to a resource that** is valuable, renewable, subject to monopoly, supportive of network activities, and enhanced by the network's modus operandi'.⁴ 4 Charles Tilly, *Durable Inequality* (Berkeley: University of California Press, 1998), 10.

View all notes **Such a resource could** be an occupational designation, a residential area, an educational credential, a lifestyle classification, or other categories that **convey distinction, exclude other groups and are subject to conditions** described above.

Consequently, the concept of opportunity hoarding is applicable to a range of social settings and circumstances, contributing advantages to members of both elites and non-elites who can restrict access to resources and opportunities to eligible participants. Tilly employs the term somewhat differently from others, however, and distinctions in its definition and use are important.

Turns case - their behavior reinforces structural inequities. It's an independent reason to vote neg. They don't get to weigh their case against the K because the K is a question of their ability to read the case in the first place. (K comes first)

Turns case - if their method is good, that's more reason to disclose the case; it should be able to withstand well-researched objections. That also turns the "think on your feet" response since they had weeks to prep this aff and I had less 4 minutes. They had time to script an answer to every possible response to the aff; no on-your-feet thinking can counteract that.

The ROJ is to promote debate as an educational space for all competitors to improve despite structural inequities.

The alternative is to drop the aff. Education is the biggest impact of the round, it's why anyone would want to participate in debate because of the critical thinking, research, advocacy, and other benefits. Your ballot serves as a way to approve or disapprove of certain behaviors and how they impact education. Vote down the aff to disincentivize anti-education methods.

A2 K, TOPICALITY

Their case Isn't Topical:

Interpretation: The aff should defend the desirability of topical action. Nothing more or less than that desirability should decide if the aff wins.

1. "Resolved" requires a policy resolution decided through a formal vote

Webster Dictionary 1913 (Definition of Resolved, Webster's 1913 Dictionary,
<http://www.webster-dictionary.org/definition/resolve>)

To express as an opinion or determination, by resolution and vote; to declare or decide by a formal vote; - followed by a clause; as, the house resolved (or, it was resolved by the house) that no money should be appropriated (or, to appropriate no money)

Violation: they don't defend the resolution.

Standard: Predictable Limits:

- a. Giving the aff the ability to choose what the debate is about makes being neg pointless and impossible.
- b. Avoiding the predictable starting point not only makes clash impossible, but makes all of the preparation and research we do useless.

There are two impacts:

First Fairness: Aff topic selection allows the aff to structurally skew the debate .

Second is Idea Testing: A precise, stable, and clearly defined resolution allows the neg to test the aff and improve education.

Turns their model of debate because in a world in which affs don't have to be topical it pushes debaters to disengage with the space. Fairness and education come before the AC and are independent voting issues for the round because schools won't fund unfair uneducational activities.

A2 AFROPESS WOKE Ks

No Solvency

Assuming all individuals will change their mindsets is the VERY DEFINITION of abuse fiat. Attempting to abstract away from social realities is repugnant and eliminates the possibility of a concrete solution to oppression.

Curry in '14 Curry, Tommy J. [Ph.D., Associate Professor of Philosophy, Texas A & M University] "The Cost of a Thing: A Kingian Reformulation of a Living Wage Argument in the 21st Century." Victory Briefs, January/February 2015. CC

Despite the pronouncement of debate as an activity and intellectual exercise pointing to the real world consequences of dialogue, thinking, and (personal) politics when addressing issues of racism, sexism, economic disparity, global conflicts, and death, many of the discussions concerning these ongoing challenges to humanity are fixed to a paradigm which sees the adjudication of material disparities and sociological realities as the conquest of one ideal theory over the other.

In "Ideal Theory as Ideology," Charles Mills outlines the problem contemporary theoretical-performance styles in policy debate and value-weighting in Lincoln-Douglass are confronted with in their attempts to get at the concrete problems in our societies. At the outset,

Mills concedes that "ideal theory applies to moral theory as a whole (at least to normative ethics as against metaethics): [s]ince ethics deals by definition with normative/prescriptive/evaluative issues, [it is set] against factual/descriptive issues." At the most general level, the conceptual chasm between what emerges as actual problems in the world (e.g.: racism, sexism, poverty, disease, etc.) and how we frame such problems theoretically

—the assumptions and shared ideologies we depend upon for our problems to be heard and accepted as a worthy "problem" by an audience—is the most obvious call for an anti-ethical paradigm, since such a paradigm insists on the actual as the basis of what can be considered normatively. Mills, however, describes this chasm as a problem of an ideal-as-descriptive model which argues that for any actual-empirical-observable social phenomenon (P), an ideal of (P) is necessarily a representation of that phenomenon. In the idealization of a social phenomenon (P), one "necessarily has to abstract away from certain features" of (P) that is observed before abstraction occurs. ¶ This gap between what is actual (in the world), and what is represented by theories and politics of debaters

proposed in rounds threatens any real discussions about the concrete nature of oppression and the racist economic structures which necessitate tangible policies and reorienting changes in our value orientations. As Mills states: "What distinguishes ideal theory is the reliance on idealization to the exclusion, or at least marginalization, of the actual," so what we are seeking to resolve on the basis of "thought" is in fact incomplete, incorrect, or ultimately irrelevant to the actual problems which our "theories" seek to address. Our attempts to situate social disparity cannot simply appeal to the ontologization of social phenomenon—meaning we cannot suggest that the various complexities of social problems (which are constantly emerging and undisclosed beyond the effects we observe) are totalizable by any one set of theories within an ideological frame be it our most cherished notions of Afro-pessimism, feminism, Marxism, or the like. At best, theoretical endorsements make us aware of sets of actions to address ever developing problems in our empirical world, but even this awareness does not command us to only do X, but rather do X and the other ideas which compliment the material conditions addressed by the action X. As a whole, debate (policy and LD) neglects the need to do X in order to remedy our cast-away-ness among our ideological tendencies and politics. How then do we pull ourselves from this seeming ir-recoverability of thought in general and in our endorsement of socially actualizable values like that of the living wage? It is my position that Dr. Martin Luther King Jr.'s thinking about the need for a living wage was a unique, and remains an underappreciated, resource in our attempts to impose value reorientation (be it through critique or normative gestures) upon the actual world. In other words, King aims to reformulate the values which deny the legitimacy of the living wage, and those values predicated on the flawed views of the worker, Blacks, and the colonized (dignity, justice, fairness, rights, etc.) used to currently justify the living wages in under our contemporary moral parameter