## I value consequentialism

## Morality is based on consequences – proves Consequentialism comes first, Johnson ‘85 says,

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

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## 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 wav 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

## Therefore, value criterion is minimizing harm

## CP TEXT - Resolved: All member nations of the World Trade Organization except the US ought to reduce intellectual property protections for medicines.

#### US medical innovation is leading but China is catching up Randu ‘19

[Sintia Radu. “U.S., China Compete for Medical Research Leadership.” US News & World Report, U.S. News & World Report, 2019, [www.usnews.com/news/best-countries/articles/2019-09-27/china-threatens-the-us-leadership-position-in-medical-research](http://www.usnews.com/news/best-countries/articles/2019-09-27/china-threatens-the-us-leadership-position-in-medical-research).]ZW Accessed 12 July 2021.

‌From vaccines to medical devices that provide a better quality of life, the [United States](https://www.usnews.com/news/best-countries/united-states) has long been a global leader in medical research. Yet new investments by other countries, particularly [China](https://www.usnews.com/news/best-countries/china), threaten[s] that standing. The way for the U.S. to remain on top: push for more innovation while paying closer attention to Asia, say experts. The U.S. is "the best country in the world in science" and reached the peak position in medical research as other regions, such as Europe, "shot themselves in the foot" and moved their research and development (R&D) capabilities to America, said Robert Atkinson, president of the Information Technology and Innovation Foundation, at [the Atlantic Festival](https://www.theatlanticfestival.com/) held this week in Washington, D.C. "It's surprising how many European companies do their R&D in the United States; we didn't make that mistake (of relocating R&D)." Apart from big R&D budgets and tax credits given to U.S. companies in this space, the U.S. has been able to retain its dominance in medical research due to the very nature of the industry – medical innovation is much harder to attain, can take decades of research, and is harder for others to copy or steal, Atkinson said. At the same time, America's main competitor, China, focused its expansion on other industries that are easier to grow. "China has been largely (advancing) in engineering-based innovation," Atkinson said. "That's easier to do." In 2015, [scientists tracking medical research activity](https://www.urmc.rochester.edu/news/story/4233/u.s.-slipping-as-global-leader-in-medical-research.aspx) during the previous two decades were praising U.S. leadership in the field of medical research, but also warning that the country was facing a decade of "steady decline," which could have allowed other nations to take this position from the U.S. through heavy investment in biomedical research. Last year, the U.S. held the [top position in global research and development](https://www.usnews.com/news/best-countries/articles/2018-11-09/these-countries-are-the-top-spenders-on-research-and-development) spending, and today five of the [10 top biotechnology companies in the world](https://www.investopedia.com/articles/markets/122215/worlds-top-10-biotechnology-companies-jnj-rogvx.asp) are American. Yet China is making advances in medical innovation, focusing on drug production and increased spending to sponsor medical development, said Guang Yang, an associate partner at McKinsey & Company who focuses on biopharmaceutical R&D. "All of these metrics have significantly grown in the last three to five years," Yang said, motivated and fueled by structural challenges and China's own challenges in improving its health care system that the country now has money to tackle. For instance, the Chinese now focus on finding treatments for common types of cancer in Asian populations, such as stomach cancer or esophageal cancer, said Yang, also speaking at the Atlantic Festival. "Those diseases have very low treatment options because the West-based pharma companies are not incentivized to develop drugs (for them)," Yang said. Chinese companies have greater incentives to test drug therapies on the types of cancer that are more common among the Chinese, Yang said. "And once approved, these (new) drugs will also benefit the American population that have the same disease." China also is pushing for greater medical innovation within its borders because of demographic shifts -- more than 70% of its population will be urbanized by 2030 and in the next 15 years more than 250 million Chinese will be older than 65. U.S. leadership in medical research will increasingly face challenges as more countries advance in both medical research and care, and in the use of technology, Atkinson said. Biomedical research and biopharmaceuticals are the new priorities for many governments seeking to be competitive in the fields. The Chinese, in particular, have both the plan and methods to accomplish those goals. "(All countries) want a part of that pie, they want to take it from us and every move they make comes at our expense," Atkinson added. "The Chinese are far behind us, but they have set their sights ... and they're using the same panoply of unfair trade practices and other practices."

#### 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/](http://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](https://www.reuters.com/world/factbox-worldwide-coronavirus-cases-cross-11038-million-death-toll-2546708-2021-02-02/), 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](https://www.linkedin.com/pulse/today-i-sent-letter-have-candid-conversation-our-drivers-bourla/?trackingId=p8C%2Fu3lALltT9tyeCAaSzA%3D%3D) on Friday that the proposed waiver would [disrupt progress made so far](https://www.reuters.com/business/healthcare-pharmaceuticals/pfizer-biontech-start-full-us-approval-application-covid-19-vaccine-2021-05-07/) 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 biopharma**ceuticals. 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 r**epresentatives 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](https://ir.novavax.com/news-releases/news-release-details/novavax-statement-opposition-wto-trips-waiver) 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 biotech**nology. "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 Iancu. “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/](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.

#### Goes nuclear---extinction

Thomas H. **Henricksen 17**, emeritus senior fellow at the Hoover Institution, 3/23/17, “Post-American World Order,”<http://www.hoover.org/research/post-american-world-order>

The tensions stoked by the assertive regimes in the Kremlin or Tiananmen Square could **spark a political or military incident** that might set off a chain reaction leading to a **large-scale war**. Historically, powerful rivalries nearly always lead to at least skirmishes, if not a full-blown war. The anomalous Cold War era **spared** the United States and Soviet Russia a direct conflict, largely from concerns that one would trigger a **nuclear exchange destroying** both states and much of **the world**. Such a repetition **might** reoccur in the unfolding three-cornered geopolitical world. It seems safe to acknowledge that an ascendant China and a resurgent Russia will persist in their geo-strategic ambitions.

What Is To Be Done?

The first marching order is to dodge any kind of perpetual war of the sort that George Orwell outlined in  “1984,” which engulfed the three super states of Eastasia, Eurasia, and Oceania, and made possible the totalitarian Big Brother regime. A long-running Cold War-type confrontation would almost certainly take another form than the one that ran from 1945 until the downfall of the Soviet Union.

What prescriptions can be offered in the face of the escalating competition among the three global powers? First, by **staying militarily and economically strong**, the United States will have the resources to deter its peers’ hawkish behavior that might otherwise trigger a **major conflict**. Judging by the history of the Cold War, the coming strategic chess match with Russia and China will prove tense and demanding—since **all the countries boast nuclear arms** and long-range ballistic missiles. Next, the United States should widen and sustain willing coalitions of partners, something at which America excels, and at which China and Russia fail conspicuously.

There can be **little room for error** in fraught **crises among nuclear-weaponized** and **hostile powers**. Short- and long-term standoffs are likely, as they were during the Cold War. Thus, the playbook, in part, involves a **waiting game** in which each power looks to its rivals to suffer grievous internal problems which could entail a collapse, as happened to the Soviet Union.

## Contention  2 - innovation

#### COVID accelerated biopharma R&D Shah ‘20

Neil Lesser and Sonal Shah 20, Shah is senior manager with the Deloitte Center for Health Solutions

within Deloitte Services LP and leads the center’s life sciences research, “Seeds of change,” https://www2.deloitte.com/us/en/pages/life-sciences-and-health-care/articles/measuring-return-frompharmaceutical-innovation.html

The **COVID-19** pandemic has **had a significant disruptive effect** on clinical trial operations, with biopharma companies, clinical research organizations (CROs), and other research organizations being forced to shut down trials, suspend enrollment, or delay planned study startups or completions (an estimated 1,210 trials have been negatively affected across the industry). **However, the pandemic** has also **accelerated the adoption of new approaches to R&D with the development of** a number of novel COVID-19 **vaccines and therapies** in record time **through extraordinary collaboration and partnerships**, as well as a wider use of transformative approaches such as master protocols and adaptive trial design and the use of real-world data (RWD). The **positive learnings** arising **from** the **COVID**-19 pandemic have **sown the seeds of change for a more productive future for biopharma R&D**. Moreover, the **accelerated development** of COVID-19 therapies and vaccines is expected to **have a positive impact on the internal rate of return** (IRR) over the coming years.

#### Intellectual property protections, or IPPs, through Patents promote innovation, tens of thousands of studies prove, Lybecker 14

#### [Kristina Lybecker, prof of economics at Colorado College.] “How to Promote Innovation: The Economics of Incentives” 21 July 2014 (https://www.ipwatchdog.com/2014/07/21/promote-innovation-the-economics-of-incentives/id=50428/)

The **patents** system serves two primary functions: it **provide**s **an incentive for research** and development **and** promotes the **diffusion of ideas** and information. As described by Clancy and Moschini (2013), the incentive potential of patents stems from their private value which is a function of their length, scope and breadth. “The length of the patent is codified by law (twenty years from filing the application), although the effective economic life of the patent can be considerably shorter, and influences how long competitors can be excluded from a particular market. The scope of a patent is more subtle and concerns the breadth of its applications, which relates to the range of products or processes that can be excluded by a patent’s right (by the so-called doctrine of equivalents, a product might be found to infringe on a patented product even if it is not an exact replica). Unlike length, the breadth of a patent cannot be explicitly codified, and it is left to be determined by the patent’s claims, as approved by the patent examiners and ultimately adjudicated by the courts.”[8]**Empirical evidence** from economic  studies **confirms** that **patents** provide the incentives that **promote innovation** and the impact is particularly pronounced in some sectors.  Incentives matter. **This** claim **is bolstered by tens of thousands of** empirical economic **studies, a**nd not one that convincingly refutes it. In a study of 60 countries over the period 1960-1990, **Park and Ginarte** (1997) **find that** the strength of **i**ntellectual **p**roperty **r**ights **was positively associated with research and development** (R&D) investments.[9],[10] Hall (2007) and Hall and Marhoff (2012) confirm the value of patents as important incentives for R&D in several sectors, including pharmaceuticals, biotechnology and medical instruments.[11],[12] In the context of product innovations, a recent study by Duguet and Lelarge (2Z012) concludes that “**overall**, **patents** do **increase** the private **incentives to innovate**, but through a specific, unbalanced, channel. Indeed, at the firm level, **the direct incentive** effect of patents is restricted to the firms’ R&D effort, which **affects** significatively their product **innovations**.”[13] The importance of patents to incentivizing innovation stems, in part, from their reliance on market forces, arguably **more so than any other incentive mechanism**. Patents leave all technical, developmental, and economic decisions in the hands of innovators and consumers. They work due to the wisdom of Adam Smith’s so-called invisible hand. Steven Landsburg summed it up succinctly, “Most of economics can be summarized in four words: ‘People respond to incentives.’ The rest is commentary.”[14]

rates of certain industries.

#### 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.**

## T

### Interpretation: The affirmative may not defend a subset of medicines

#### Violation: they do

#### Specific instances don’t affirm generics – past topics prove

**Nebel 19** (Jake Nebel, assistant professor of philosophy at the University of Southern California and executive director of Victory Briefs, “Genericity on the Standardized Tests Resolution” August 12 2019, vbriefly, <https://www.vbriefly.com/2019/08/12/genericity-on-the-standardized-tests-resolution/?fbclid=IwAR0hUkKdDzHWrNeqEVI7m59pwsnmqLl490n4uRLQTe7bWmWDO_avWCNzi14>) //triumph debate

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. “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](https://plato.stanford.edu/entries/generics/#IsolGeneInte) 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.

#### Standards –

#### 1 – precision – debating the topic as written is key to precise engagement – anything else sets a norm of arbitrarily changing words and phrases in the res – this makes negating impossible because the neg has the burden of rejoined and the aff is a moving target. Kills fairness because the neg can never link offense into the aff –

#### 2 – limits- kills neg ability to prep because there are infinite plans that can all no-link neg offense – topic  generics don’t solve because spec plans can no link them. kills fairness because under resourced debaters can’t keep up with thousands of tiny affs and kills education because we never get in depth engagement.

#### 3 – ground – spec affs kill neg ground by taking away wholeres disads and counterplans – mooting neg generics sets a terrible norm that incentivizes affirmative debaters to write the tiniest, most unnegatable affs – kills fairness because aff always wins if there’s no neg lit base and kills education because the neg can’t debate the topic and is forced to read generics everyone’s already heard

#### TVA – read your aff as an advantage of a wholeres plan

#### Voters –

#### 1 -- Fairness – you need fairness to evaluate debate rounds – the judge needs to vote for the better debater not the better cheater. Unfair advantages in debate rounds make decisions illegitimate and hurt our ability to access real world skills. If they try to go for “fairness bad” then just vote neg because it means you’re under no obligation to evaluate their arguments fairly.

#### 2 – education – it’s a voter because it’s the reason schools fund debate and the only portable skills we gain from debate are a result of education – knowing how to discuss the merits of broad policy options has more real world implications than knowing how to go for an rvi or knowing how to defend policies that are so obscure they’d never be passed.

#### Paradigm issues –

#### 1 – No RVIs

#### a] logic – you don’t get to win just for proving you’re topical

#### 2 – competing interpretations over reasonability

#### a] arbitrariness – reasonability is arbitrary and invites judge intervention

#### b] brightlines mean competing interps – it becomes a debate of whose brightline is best which is the same thing as competing interps – you’re debating about whose model is best

#### 3 – drop the debater

#### a] logic – drop the argument doesn’t make sense – the shell indics their entire advocacy

## CASE

#### Innovation for covid vaccines isn’t how countries stopped covid early - New zealand is an example

Dyer, P. (2021, January 24). *Policy and institutional responses to covid-19: New Zealand*. Brookings. https://www.brookings.edu/research/policy-and-institutional-responses-to-covid-19-new-zealand/.

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From a global perspective, **New Zealand stands out regarding the efficacy of its approach to combat**ting the spread of **COVID**-19, **having** effectively **eliminated the** **virus** from its territory. **Towards this end, the country resorted to a** draconian **lockdown of** its **borders and** its domestic **economy**. **Following a month during which the country shut down** all nonessential **businesses, restricted** internal **travel, and** banned **social gatherings, New Zealand was able to** rapidly **reopen** its economy.

**Following a second outbreak** in August, **New Zealand was able to control the outbreak through a** targeted **lockdown of** **Auckland**. **Having reopened** the economy **in June**, **the country did return to a heightened alert level in August, but** it **has** since **returned to a** vigilant but **full opening**. Throughout the pandemic, New Zealand has continued to build its capacity for testing and contact tracing. Coupled with tight quarantines for returning New Zealanders, this has helped the country control the virus and prevent further outbreaks. New Zealand confirmed its first imported COVID-19 case on February 26, 2020. A month later, with only 100 confirmed cases, the country went into lockdown. By mid-May, however, authorities declared that the virus had been eliminated in terms of community spread, and the country reopened on June 9, having had no new cases reported for 18 days. Even with a sizeable new outbreak of the virus in August 2020, New Zealand has seen relatively few confirmed cases and deaths associated with the virus. By January 15, 2021, the country had only had a total of 2,246 confirmed cases (0.04 percent of the population). There have been only 25 deaths.

#### Removing IPP will not help vaccine distribution and instead decrease the amount of medicine Lancu ’21

#### [No Evidence That Patents Slow Vaccine Access - STAT.” *STAT*, 13 Apr. 2021, www.statnews.com/2021/04/13/no-evidence-patents-slow-vaccine-access/. Accessed 30 June 2021.]zw

‌at this point in the exhausting and deadly Covid-19 pandemic, people around the globe are giving thanks for the multiple vaccines that have been produced and authorized in record time. All governments now share the goal of quick and worldwide vaccination. To reach this goal, many are latching onto the idea of suspending intellectual property rights for Covid-19 vaccines and medicines, including more than 400 health, labor, religious, and other groups. Late last year, the governments of India and South Africa petitioned the World Trade Organization to waive patent protections for Covid-19 therapies. *To take effect, that proposal would have to be approved by member countries and, so far, the United States, the United Kingdom, the European Union, Japan, and others have withheld their approval. But international organizations, like Doctors Without Borders, as well as a number of U.S. lawmakers, support the call to strip away patent rights for Covid-19 vaccines and therapies. President Biden is reportedly weighing whether to back the waiver***. Proponents of the idea say it would boost vaccine supply and access. The problem is, there is no evidence for this claim***. In fact, the push by India and South Africa appears to be disingenuous, aimed not at curbing the pandemic but at allowing domestic companies to make money off of others’ intellectual property*. Gutting patent rights is a dangerous prospect. Drug invention is highly risky: Fewer than 12% of new molecular entities that make it to the clinical trial stage get to the marketplace. The endeavor depends on $100 billion in annual private-sector investment, on top of billions in taxpayer money. Kill the patents taken out on these advances and you kill the incentive to invest. That would mean even worse trouble when the next pandemic comes around, in five, 10, or 20 years. *The issues about making more vaccines and distributing them to every country are far more complex than those proposing to waive intellectual property rights on these vaccines would have us believe.* ***Manufacturing and distributing these vaccines is extremely complicated, posing issues well beyond patents.*** Almost every factory on the planet that can make these vaccines is already doing so. One of the biggest, the Serum Institute in India, has contracts with AstraZeneca and others to make millions of doses. Under deals like these, manufacturing plants in India will produce 3.6 billion doses of vaccine this year, second only to the United States. Other companies have licensed their manufacturing process to subcontractors, and even to competitors. Johnson & Johnson and Merck are teaming up to expand manufacturing capacity of the J&J vaccine. Novartis and Sanofi are using their facilities to help increase the production of the Pfizer/BioNTech vaccine. *In short,* ***there’s robust collaboration and cooperation within the industry to ensure that vaccines are made quickly and safely. And patents actually facilitate such cooperation, because each entity can rest assured that its proprietary technology is protected in the long ru****n.* So before rushing to disrupt the world’s intellectual property systems, governments need to identify specific evidence that intellectual property protection is actually a problem. Adar Poonawalla, CEO of the Serum Institute of India, told The Guardian that insufficient license-granting by patent holders is not an impediment to speedy vaccine rollout and that “it just takes time to scale up,” pointing to the complexity of the manufacturing process. And Bill Gates, the mega-philanthropist whose foundation spearheads many global vaccination efforts, recently told the “Sway” podcast, “Believe me, IP did not limit anything.” On the contrary*,* **intellectual property rights made it possible for research scientists to make the decades of investments required to develop and deliver safe and effective Covid-19 vaccines in record time**.

#### Aff gets circumvented- powerful countries use bilateral agreements to force other countries to accept their IPR protections- its empirically proven

DC = developing country

NIT = Net Importers of Technology (this references developing countries)

NET = Net Exporters of Technology (countries with advanced economies)

**Marcellin 16** Marcellin, Sherry (Professor, London School of Economics). The political economy of pharmaceutical patents: US sectional interests and the African Group at the WTO. Routledge, 2016./SJKS

In July 1988, prior to the Montreal Mid-Term Review, **DCs had sensed that the approach being proposed by industrialised countries was desirable on the grounds that the alternative would be a proliferation of unilateral or bilateral actions** (MTN.GNG/NG11/8: 31). **These NITs maintained that acceptance of such an approach would be tantamount to creating a licence to force, in the name of trade, modifications in standards for the protection of IP in a way that had not been found acceptable or possible so far in WIPO (ibid**). **Brazil subsequently informed the Group that on October 20, 1988, unilateral restrictions had been applied by the US to Brazilian exports as a retaliatory measure in connection with an IP issue; that this type of action seriously inhibited Brazil’s participation in the work of the Group, since ‘no country could be expected to participate in negotiations while experiencing pressures on the substance of its position’** (MTN.GNG/NG11/10: 27). The Brazilian delegate maintained that such action by the US constituted a blatant infringement of GATT rules and was contrary to the Standstill commitment of the Punta del Este Declaration. ‘**The United States action was an attempt to coerce Brazil to change its** intellectual **property legislation**, and furthermore represented an attempt by the United States to improve its negotiating position in the Uruguay Round’ (ibid). A US delegate countered that the measures had been taken with regret and as a last resort after all alternative ways of defending legitimate US interests had been exhausted, and that the US further believed that the adoption of effective patent protection was in Brazil’s own interest (ibid: 28). **The US had therefore applied its strategy of coercive unilateralism against one of the two most important players championing the cause of the South in the TRIPS negotiations,** the other being India. Apprehensive about the resistance of this dominant Southern duo, **the United States sought to utilise its market size as a bargaining tool to secure changes to national IP regimes.** It therefore decided to impact the more powerful of the two at the time, **thereby indirectly admonishing India and the entire coalition against strengthened IP rules, as well as their domestic export constituencies who would be affected by US decisions to restrict imports.** Moreover, because Brazil and India appeared to be collaborating extensively in maintaining a united front, a resulting strain on Brazil’s economy would likely affect their co-operation. However, since market opening and closure have been treated as the currency of trade negotiations in the post-war period (Steinberg 2002: 347), the move to place restrictions on Brazilian exports by the largest consumer market in the GPE should not have been entirely unanticipated. **Brazil was also the regional leader in South America and disciplining it would send an unequivocal warning to other South American countries (**Drahos and Braithwaite 2002: 136), including Argentina, Chile and Peru who were also active participants in the negotiations. **This would mark the start of a series of coercive strategies aimed at compliance with the US private-sector envisioned GATT IPP.**

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