## T Medicine

#### Interpretation – Marijuana isn’t a Medicine

Mosley 20, Mark. "Medical Marijuana Is a Dangerous Lie." Emergency Medicine News 42.8 (2020): 2-3. (Dr. Mark Mosley is an emergency medicine physician in Wichita, Kansas and is affiliated with Wesley Healthcare Center. He received his medical degree from University of Oklahoma College of Medicine and has been in practice for more than 20 years.)//Elmer

**Marijuana is not a medical drug.** It is a **slang term for** a **plant of the Cannabis family that contains more than 60 different cannabinoid substances and more than 80 biologically active compounds**. Using the term marijuana in place of THC would be like using willow tree in place of acetylsalicylic acid, the active ingredient in aspirin.

#### FDA and CDC definitions prove.

CDC ’18 (CDC; Centers for Disease Control and Prevention; 3-7-2018; “**Is marijuana medicine**?”; CDC; <https://www.cdc.gov/marijuana/faqs/is-marijuana-medicine.html>; Accessed: 9-4-2021; AU)

The marijuana plant has chemicals that may help symptoms for some health problems. More and more states are making it legal to use the plant as medicine for certain conditions. But there isn’t **enough research** to show that the whole plant works to treat or cure these conditions. Also, the U.S. Food and Drug Administration (FDA) **has not recognized** or **approved** the marijuana plant **as medicine**. Because marijuana is often smoked, it can damage your lungs and cardiovascular system (e.g., heart and blood vessels). These and other damaging effects on the brain and body could make marijuana more harmful than helpful as a medicine. Another problem with marijuana as a medicine is that the ingredients aren’t exactly the same from plant to plant. There’s no way to know what kind and how much of a chemical you’re getting.

#### Violation – the resolution calls for reductions on IP protections for medicines, but the aff prevents future patents for cannabis-derived products.

#### Vote neg for limits and ground. Expanding the definition of “medicine” to anything that could be used in a medical setting floods the neg with cases to prep for – everything from new methods of chemo to upgrading stethoscopes becomes topical.

#### At best – they’re extra-T since Cannabis isn’t intrinsically medicinal, it just has medicinal uses so they would reduce Recreational Marijuana patents too which isn’t topical and explodes limits.

Johnson 20 Ian Johnson 1-20-2020 "Cannabis Patents 2000 – 2019: Trends Following Legalization" <https://plantlaw.com/2020/01/20/cannabis-trends-medical-recreational/> (Registered Patent Agent, Plant & Planet Law Firm)//Elmer

These findings correspond to the overall increase in **cannabis-related patents** and demonstrate that the recreational patent sector is growing at an even greater rate than cannabis patents generally. This supports the theory that recreational markets and expansion of legal personal use of cannabis have resulted in an increase in patent activity in the industry. Again, publication totals are not necessarily the most accurate reflection of patent behavior by cannabis businesses. Therefore, it is useful to examine filing and provisional trends for recreational patents. These results are subject to the same 18-month delay problems noted above, and therefore actual and projected values are provided. Using actual filing data for 2017, there has been a 181% increase in filing activity since 2012. Using projected filing data for 2019, there has been a 257% increase in recreational filing activity since 2012. Using actual priority claims for 2017, there has been a 196% increase in provisional filing activity since 2012. Using projected priority claims for 2019, there has been a 289% increase in recreational provisional filing activity since 2012. The following charts demonstrate recreational filing trends from 2012 to 2019. Patents **that could be classified as recreational** **made up approximately 53% of all filings** between 2000 and 2011. However, **following legalization** the percent of patents and applications considered recreational has **increased to** approximately **77% of filings in 2018**. The chart below demonstrates the growth of the recreational sector’s share of cannabis patent activity.

#### Fairness- consittutive of comp activites, args presume

#### Edu- funded ny schools

#### DTD- dta illogical, time skew

#### No RVI’s- illogical, baiting

#### CI- intervention, race to bottom, collapses, yours vs best

## T Reduce

#### Interp:

#### Reduce means decreasing an existing quantity – it excludes preventing a future increase/implementation

**Popattanachai 18** – PhD dissertation at Nottingham Trent University (NAPORN, “REGIONAL COOPERATION ADDRESSING MARINE POLLUTION FROM LAND-BASED ACTIVITIES: AN INTERPRETATION OF ARTICLE 207 OF THE LAW OF THE SEA CONVENTION FOCUSING ON MONITORING, ASSESSEMENT, AND SURVEILLANCE OF THE POLLUTION” http://irep.ntu.ac.uk/id/eprint/33374/1/Naporn%20Popattanachai%202018.pdf

For the second question, the provision demonstrates that the goal of adoption of such laws and regulations must be to ‘prevent, reduce, and control’ MPLA. In so doing, the LOSC obliges States to ‘taking into account internationally agreed rules, standards, and recommended practices and procedures’.480 Having considered the ordinary meanings of the term ‘prevent, reduce, and control’, ‘prevent’ means ‘to stop something from happeningor someone from doing something**.**’481 The word ‘reduce’ means ‘to make something smaller in size, amount, degree, importance etc.’482 and the word ‘control’ means ‘to order, limit, or rule something or someone's actions or behaviour.’ 483 From the meanings, the term ‘prevent’ suggests an action to stop the future occurrence of something, whereas the terms ‘reduce**’** and ‘control’, noting their difference, point to an action dealing with something that has already happened and continues to occur, but needs to be made smaller, limited or regulated. Also, control also applies to future pollution in the sense that it limits the future pollution to be created or emitted not to exceed the specified level. Therefore, the preliminary reading of these terms suggests that laws and regulations adopted to deal with MPLA must yield the result that conforms with these terms. In so doing, the adoption of laws and regulations to prevent, reduce, and control MPLA can be done by legislating primary or secondary regulations with the use of various legal techniques and procedures and are underpinned by some rules and principles of international law discussed in the previous chapter. These legal techniques and procedures can be used to achieve the prevention, reduction and control of MPLA depending on the design and use of them. Noting that the measures outlined below are not exhaustive and not exclusively limited to implement any specific obligation, these are typical legal techniques and procedures used to prevent, reduce, and control pollution and therefore protect the environment. They can be categorised into two groups, that is, (1) substantive and (2) procedural legal techniques and measures. They can be discussed hereunder.

#### Violation:

#### THEY DON’T REDUCE—THEY DELAY THE ENFORCEMENT OF STATUS QUO PROTECTIONS

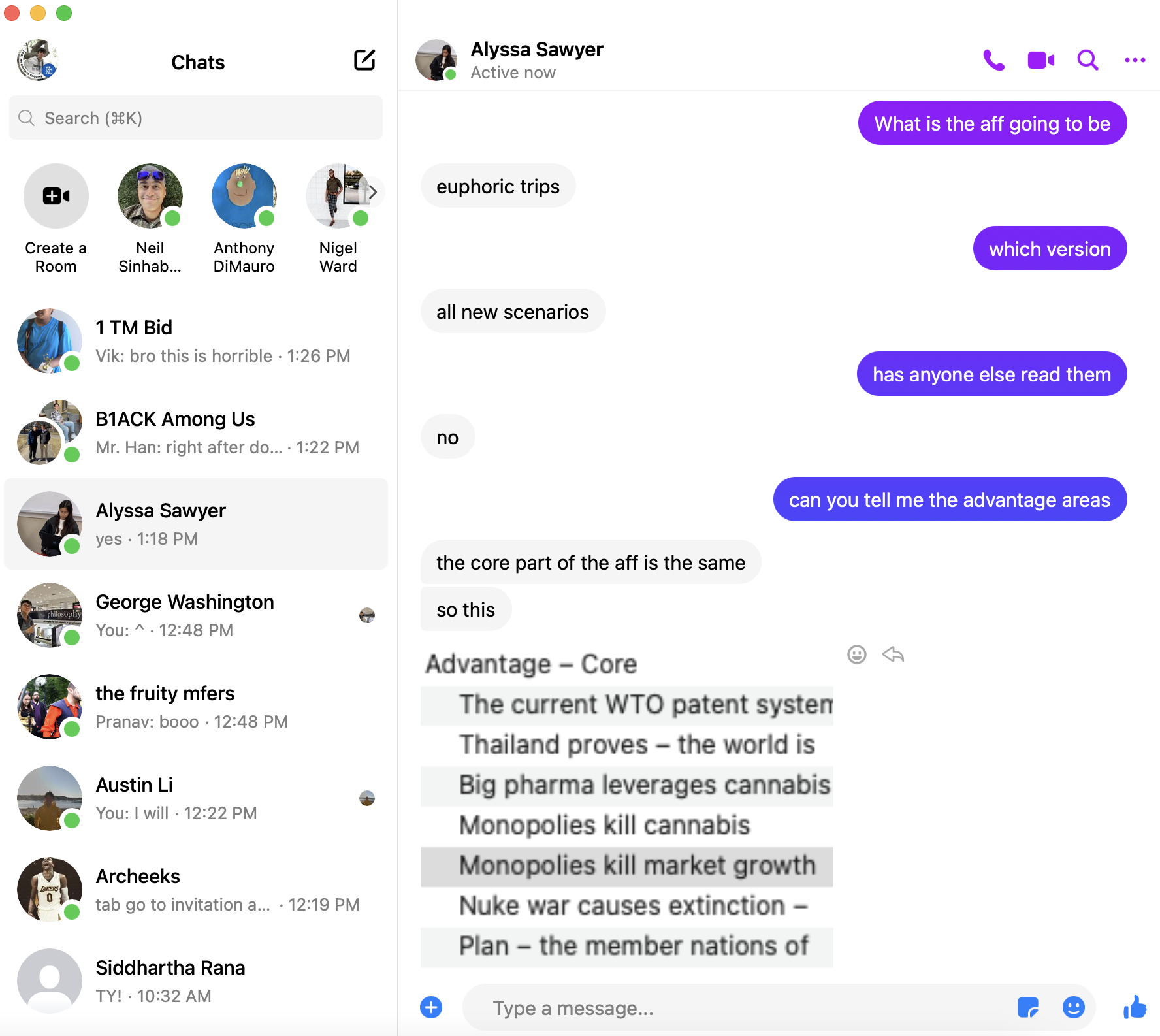
#### Their interpretation allows any aff that postpones or indefinitely postpones a reduction of IP—

#### 1] Ground---they can no link out of every DA because the plan does not occur until later or read non-inherent advantages that are predicated on future reductions of IP. Independently leads to shiftiness.

#### 2] limits---That explodes the caselist to IP for nonexistent medicines such as 3D printed drugs, new precision medicine technology, and infinite drugs that are still being produced which leads to non-inherent affs thhat skirt the core topic controversy.

#### 3] Precision—their interp justifies arbitrarily ignoring words in the resolution which deck predictability and turn functional limits. Slippery slope of affs.

#### Err neg on T- they didn’t disclose aff advantages which killed my ability to engage substantively



## Spec Enforcement

#### Interpretation: Debaters must specify how they enforce reduction of IPP in the 1AC.

#### They dont

#### 1] Resolvability – enforcement is the core to aff solvency. Yu 14

Peter K. Yu, 12-2014, "Why Are the TRIPS Enforcement Provisions Ineffective?," Texas A&amp;M Law Scholarship, <https://scholarship.law.tamu.edu/facscholar/1022/> AT

Shortly after the adoption of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), commentators widely praised the Agreement for transforming the international intellectual property system. While some considered the extension of the mandatory dispute settlement process of the World Trade Organization (WTO) to intellectual property disputes a crowning achievement of the Uruguay Round of Multilateral Trade Negotiations (Uruguay Round), others extolled the unprecedented benefits of having a set of multilateral enforcement norms built into the international intellectual property system. With twenty-one provisions on obligations that range from border measures to criminal sanctions, the TRIPS Agreement, for the first time, provides comprehensive international minimum standards on the enforcement of intellectual property rights. Notwithstanding these quick praises, some commentators provided more measured assessments. For example, in a prescient, and still highly relevant, article published shortly after the adoption of the TRIPS Agreement, Jerome Reichman and David Lange described the Agreement’s enforcement provisions as its ‘Achilles’ heel’. As they observed: The enforcement provisions are crafted as broad legal standards, rather than as narrow rules, and their inherent ambiguity will make it harder for mediators or dispute-settlement panels to pin down clear-cut violations of international law … . We predict that the level of enforcement under the TRIPS Agreement will greatly disappoint rightsholders in the developed countries, and that recourse to coercive measures will not appreciably improve the situation in the short and medium terms.

#### That’s a voter since judges need to decide debates and takes out regress since its key to topic debates.

#### 2] Stable advocacy – 1AR clarification delinks neg positions that prove why enforcement in a certain instance is bad by saying it isn't their method of enforcement – wrecks neg ballot access and kills in depth clash –

#### 3] Prep skew – I don't know what they will be willing to clarify until CX which means I could go 6 minutes planning to read a disad and then get screwed over in CX when they spec something else.

## Infrastructure

#### Infrastructure passes given recent changes, but its close

Pramuk 8/24 [Jacob, Digital politics reporter at CNBC. August 24, 2021. “House Democrats clear path toward passing $3.5 trillion budget bill and infrastructure plan after breaking stalemate” [https://www.cnbc.com/2021/08/24/house-passes-budget-resolution-advances-infrastructure-bill.html Accessed 8/27](https://www.cnbc.com/2021/08/24/house-passes-budget-resolution-advances-infrastructure-bill.html%20Accessed%208/27) //gord0]

House Democrats forged ahead with President [Joe Biden](https://www.cnbc.com/joe-biden/)’s economic plans Tuesday after they broke a stalemate that threatened to unravel the party’s sprawling agenda. In a 220-212 party-line vote, the chamber passed a $3.5 trillion budget resolution and advanced a $1 trillion bipartisan infrastructure bill. The vote allows Democrats to write and approve a massive spending package without Republicans and puts the Senate-passed infrastructure plan on a path to final passage in the House. The measure includes a nonbinding commitment to vote on the infrastructure bill by Sept. 27, which aims to appease nine centrist Democrats who pushed the House to consider the bipartisan plan before it took up the Democratic budget resolution. The vote also advances a sweeping voting rights bill, which Democrats aim to pass as soon as Tuesday. In a statement Tuesday, House Speaker Nancy Pelosi, D-Calif., said she is “committing to pass the bipartisan infrastructure bill by September 27” and would “rally” her caucus to pass it. She also stressed that she aims to pass a budget reconciliation bill that could get through the Senate — meaning it may prove smaller than House progressives want. The opposition from the nine holdout Democrats threatened an agenda that supporters say will boost the economy and provide a lifeline to working-class households. Democratic leaders have cast the budget plan as the biggest expansion of the American social safety net in decades and the infrastructure bill as an overdue refresh of transportation and utilities. “The bottom line is, in my view, we are a step closer to truly investing in the American people, positioning our economy for long-term growth and building an America that outcompetes the rest of the world,” Biden said Tuesday after the vote. “My goal is to build an economy from the bottom up and middle out, not just the top down.” Pelosi has pushed to pass the bipartisan and Democratic plans at the same time in order to ensure centrists and progressives back both measures. The nine Democrats withheld their support, leaving Pelosi and her top deputies scrambling to find a path forward to salvage the party’s economic plans. All the Democrats ended up voting with their party Tuesday. In a statement after the vote, the Democrats led by Rep. Josh Gottheimer of New Jersey said their deal with party leaders “does what we set out to do: secure a standalone vote for the bipartisan infrastructure bill, send it to the President’s desk, and then separately consider the reconciliation package.” The vote to advance the measures preserves the party’s hopes to push through massive economic proposals this year. Democrats still need to overcome several hurdles — and write a budget bill that can win support from spending-wary centrists and progressives alike — to get the proposals through a narrowly divided Congress. Underscoring the challenges ahead, House leaders face pressure to write and pass the reconciliation plan before they approve the infrastructure bill — which Pelosi pledged to do in about a month. In a statement Tuesday, Congressional Progressive Caucus Chair Pramila Jayapal, D-Wash., said the two proposals are “integrally tied together, and we will only vote for the infrastructure bill after passing the reconciliation bill.” Democrats in the Senate and House hope to write their bill to strengthen the social safety net and invest in climate policy in the coming weeks. The budget measure calls for expanding Medicare, child care and paid leave, extending strengthened household tax credits passed last year, creating universal pre-K and making incentives for green energy adoption. While the resolution allows for up to $3.5 trillion in spending, centrists will likely try to trim the price tag. Many Republicans have supported the bipartisan infrastructure bill, saying it will jolt the economy. But they have opposed the trillions more in spending proposed by Democrats and the tax hikes on businesses and wealthy individuals the Democrats hope to use to pay for it. The GOP has also argued the Democratic plan would increase inflation, which White House officials have disputed.

#### Cannabis legislation costs Biden floortime and kills bipartisanship.

Roberts '21 (Chris Roberts; Chris Roberts is an award-winning investigative reporter with bylines in VICE, The Daily Beast, The Guardian, The Verge, Curbed, Forbes, SF Weekly, and others; 2-7-2021; "On Marijuana Reform, Joe Biden Will Disappoint You"; https://whowhatwhy.org/opinion/on-marijuana-reform-joe-biden-will-disappoint-you/, WhoWhatWhy, accessed 9-6-2021; JPark)

Democrats control the White House and, for now, both houses of Congress. This should be good for weed since, after all, the Democrats’ official platform calls for decriminalization. And it was Republican obstructionism that kept cannabis policy reform — including the Senate version of the MORE Act, the federal decriminalization bill that passed the House in December — reliably bottled up in Washington. This analysis neatly forgets the president’s inconvenient history as one of the chief architects of the war on drugs that filled America’s prisons. And this also assumes that Biden, or other top Democrats, will spend limited **political capital on cannabis**, when getting even coronavirus relief through Congress, let alone censuring a member who liked social media posts advocating murdering her opponents, aren’t sure things. “We’re not going to see Biden or the White House pushing for the MORE Act, or de-scheduling marijuana,” John Hudak, a scholar at the Brookings Institution think tank, told the Verge. Even thinking about what Biden would do hinges on whether he is presented with a bill he likes. And getting that far will require Republicans — not just a couple, but 10 — in the Senate. Recall that accomplishing most anything in the United States Senate requires 60 votes, not a simple majority. Biden is struggling to find 10 Republican senators willing to meet him halfway on coronavirus relief. Who are the 10 Republicans willing to hop on the Democratic bandwagon for an issue that’s still a front in the culture war? Tellingly, the cannabis lobbyists and executives gushing to Politico did not have this answer handy. And what about the Democrats? The MORE Act passed, but only after top leadership canceled a September vote because they were worried cannabis reform would be a bad look ahead of the November election — an election in which weed won a clean sweep, with voters approving legalization by wide margins in Arizona, New Jersey, Montana, and South Dakota. Voters like legalization, but Congress should not realistically be expected to spend too much time debating the needs of the cannabis industry, even after a record year of cannabis sales, when it can’t deliver $1,400 checks to impoverished Americans. “Look at the Democrats helping pot dealers while you suffer in silence,” is a line that the Democratic leadership will fall all over itself to avoid hearing during the 2022 midterms. And it shows.

#### Bill key to prevent infrastructure disaster from Grid Collapse

PPG, 3/4/2021 (MAR 4, 2021 9:00 PM, Pittsburgh Post-Gazette Editorial Board. Invest in infrastructure. March 4, 2021. <https://www.post-gazette.com/opinion/editorials/2021/03/05/Invest-in-infrastructure/stories/202102270028>, recut by JMP)

Now is the time for a reckoning, a realization: While it’s important to study the past to avoid repeating the same mistakes, the country must also look to its future and see the obvious — that America’s infrastructure as a whole needs some serious upkeep.

Democrats and Republicans alike have flirted with the idea of a sweeping infrastructure bill in recent years, and President Joe Biden’s team is working to outline such legislation. These efforts should proceed swiftly — now is the time for Congress to invest in infrastructure, not only to help prevent crises, but also to jump-start an economy mired in the coronavirus pandemic.

Despite being one of the richest countries in the world, the U.S. seems constantly to hover on the edge of disaster, with news of natural forces smashing through power grids and levies and fire prevention strategies on a yearly or monthly basis. Texas is only the most recent state to have been pushed over the edge.

The American Society of Civil Engineers just this week gave America’s infrastructure an overall grade of C-minus in its quadrennial report card. The last grade was D-plus and that report cited decades of underfunding and unheeded recommendations. C-minus is an improvement but deserves not just federal attention but actual intervention. The report notes “we are heading in the right direction, but a lot of work remains.”

There is opportunity in the recent economic and environmental devastation that grabs headlines and breaks hearts. In the aftermath of the Great Depression, the government put millions to work improving parks and building roads and bridges and airports. President Dwight Eisenhower’s interstate highway system remains the life veins of interstate travel.

A new and vigorous infrastructure package for America would fix what needs to be fixed and offer the promise of an economic boon.

The purpose of the federal government is to address the needs of American society in a way that can’t be tackled by states in a piecemeal fashion. What has happened in recent days within The Lone Star State demonstrates keenly that this is the time — actually past the time — that our federal leaders must shore up the foundations of our federation. Congress should act swiftly to lead states in reversing the entropy chewing away at America’s foundations. Until this happens, society stands on shifting sands.

#### Grid collapse causes extinction.

Greene ’19 [Sherrell R.; Nuclear Engineering M.S. degrees from the University of Tennessee, recognized subject matter expert in nuclear reactor safety, nuclear fuel cycle technologies, and advanced reactor concept development, worked at the Oak Ridge National Laboratory (ORNL) for over three decades, as Director of Research Reactor Development Programs and Director of Nuclear Technology Programs; “Enhancing Electric Grid, Critical Infrastructure, and Societal Resilience with Resilient Nuclear Power Plants (rNPPs),” Nuclear Technology 205(3), <https://ans.tandfonline.com/doi/pdf/10.1080/00295450.2018.1505357?needAccess=true> recut gord0]

There are a variety of events that could deal ~~crippling~~ blows to a nation’s Grid, Critical Infrastructure, and social fabric. The types of catastrophes under consideration here are “very bad day” scenarios that might result from severe GMDs induced by solar CMEs, HEMP attacks, cyber attacks, etc.5

As briefly discussed in Sec. III.C, the probability of a GMD of the magnitude of the 1859 Carrington Event is now believed to be on the order of 1%/year. The Earth narrowly missed (by only several days) intercepting a CME stream in July 2012 that would have created a GMD equal to or larger than the Carrington Event.41 Lloyd’s, in its 2013 report, “Solar Storm Risk to the North American Electric Grid,” 42 stated the following: “A Carrington-level, extreme geomagnetic storm is almost inevitable in the future…The total U.S. population at risk of extended power outage from a Carrington-level storm is between 20-40 million, with durations of 16 days to 1-2 years…The total economic cost for such a scenario is estimated at $0.6-2.6 trillion USD.” Analyses conducted subsequent to the Lloyd’s assessment indicated the geographical area impacted by the CME would be larger than that estimated in Lloyd’s analysis (extending farther northward along the New England coast of the United States and in the state of Minnesota),43 and that the actual consequences of such an event could actually be greater than estimated by Lloyd’s.

Based on “Report of the Commission to Assess the Threat to the United States from Electromagnetic Pulse (EMP) Attack: Critical National Infrastructures” to Congress in 2008 (Ref. 39), a HEMP attack over the Central U.S. could impact virtually the entire North American continent. The consequences of such an event are difficult to quantify with confidence. Experts affiliated with the aforementioned Commission and others familiar with the details of the Commission’s work have stated in Congressional testimony that such an event could “kill up to 90 percent of the national population through starvation, disease, and societal collapse.” 44,45 Most of these consequences are either direct or indirect impacts of the predicted collapse of virtually the entire U.S. Critical Infrastructure system in the wake of the attack.

Last, recent analyses by both the U.S. Department of Energy46 and the U.S. National Academies of Sciences, Engineering, and Medicine47 have concluded that cyber threats to the U.S. Grid from both state-level and substatelevel entities are likely to grow in number and sophistication in the coming years, posing a growing threat to the U.S. Grid.

These three “very bad day” scenarios are not creations of overzealous science fiction writers. A variety of mitigating actions to reduce both the vulnerability and the consequences of these events has been identified, and some are being implemented. However, the fact remains that events such as those described here have the potential to change life as we know it in the United States and other developed nations in the 21st century, whether the events occur individually, or simultaneously, and with or without coordinated physical attacks on Critical Infrastructure assets.

## I Law

#### Intellectual property rights cannot be discriminated on the basis of field, or place of invention

WTO <https://www.wto.org/english/docs_e/legal_e/27-trips_04c_e.htm>, Article 27.1, Section 5 on patents, World trade Organization, WTO, Part II — Standards concerning the availability, scope and use of Intellectual Property Rights

Subject to the provisions of paragraphs 2 and 3, patents shall be available for any inventions, whether products or processes, in all fields of technology, provided that they are new, involve an inventive step and are capable of industrial application. [(5)](https://www.wto.org/english/docs_e/legal_e/27-trips_04c_e.htm#fnt-5) Subject to paragraph 4 of Article 65, paragraph 8 of Article 70 and paragraph 3 of this Article, patents shall be available and patent rights enjoyable without discrimination as to the place of invention, the field of technology and whether products are imported or locally produced.

#### The WTO’s appellate body no longer exists to mediate disputes, without immediate buy in by states, and no mechanism to make disobedient states obey, the system collapses

Horton, 08/3, Lessons from Trump’s assault on the World Trade Organization, https://www.chathamhouse.org/2021/08/lessons-trumps-assault-world-trade-organization, Chatham House – International Affairs Think Tank, Communications Manager; Project Lead, Common Futures Conversations

The WTO is unique amongst international institutions because it has a powerful enforcement mechanism – the dispute settlement system. However, the fundamental vulnerability is that if powerful states like the US and others won’t participate in the system and be bound by its rules, they quickly risk becoming irrelevant. And that’s the situation we’re in right now with the appellate body crisis, where, without a functioning mechanism to ensure that WTO rules are enforced, the entire system of global trade rules risk collapsing. Ironically, the United States has been the leader of the liberal trading order for the past 70 years, but since Trump, it has become its leading saboteur.

#### A major country operating outside WTO consensus wrecks global trade norms

Bacchus 20 [James Bacchus, member of the Herbert A. Stiefel Center for Trade Policy Studies, the Distinguished University Professor of Global Affairs and director of the Center for Global Economic and Environmental Opportunity at the University of Central Florida, 12-16-2020, "An Unnecessary Proposal: A WTO Waiver of Intellectual Property Rights for COVID-19 Vaccines," Cato Institute, [https://www.cato.org/free-trade-bulletin/unnecessary-proposal-wto-waiver-intellectual-property-rights-covid-19-vaccines]/Kankee](https://www.cato.org/free-trade-bulletin/unnecessary-proposal-wto-waiver-intellectual-property-rights-covid-19-vaccines%5d/Kankee)

In a sign of their increasing frustration with global efforts to ensure that all people everywhere will have access to COVID-19 vaccines, several developing countries have asked other members of the World Trade Organization (WTO) to join them in a sweeping waiver of the intellectual property (IP) rights relating to those vaccines. Their waiver request raises anew the recurring debate within the WTO over the right balance between the protection of IP rights and access in poorer countries to urgently needed medicines. But the last thing the WTO needs is another debate over perceived trade obstacles to public health. Unless WTO members reach a consensus, the multilateral trading system may be further complicated by a delay like that in resolving the two‐​decades‐​old dispute between developed and developing countries over the compulsory licensing and generic distribution of HIV/AIDS drugs. A new and contentious “North‐​South” political struggle definitely would not be in the interest of the developed countries, the developing countries, the pharmaceutical companies, or the WTO. Certainly it would not be in the interest of the victims and potential victims of COVID-19. Background In early October 2020, India and South Africa asked the members of the WTO to waive protections in WTO rules for patents, copyrights, industrial designs, and undisclosed information (trade secrets) in relation to the “prevention, containment or treatment of COVID-19 … until widespread vaccination is in place globally, and the majority of the world’s population has developed immunity.”1 India and South Africa want to give all WTO members freedom to refuse to grant or enforce patents and other IP rights relating to COVID-19 vaccines, drugs, diagnostics, and other technologies for the duration of the pandemic. In requesting the waiver, India and South Africa have argued that “an effective response to the COVID-19 pandemic requires rapid access to affordable medical products including diagnostic kits, medical masks, other personal protective equipment and ventilators, as well as vaccines and medicines for the prevention and treatment of patients in dire need.” They have said that “as new diagnostics, therapeutics and vaccines for COVID-19 are developed, there are significant concerns, how these will be made available promptly, in sufficient quantities and at affordable prices to meet global demand.”2 Later in October, the members of the WTO failed to muster the required consensus to move forward with the proposed waiver. The European Union, the United States, the United Kingdom, and other developed countries opposed the waiver request.3 One WTO delegate, from the United Kingdom, described it as “an extreme measure to address an unproven problem.”4 A spokesperson for the European Union explained, “There is no evidence that intellectual property rights are a genuine barrier for accessibility of COVID‐​19‐​related medicines and technologies.”5 In the absence of a consensus, WTO members have decided to postpone further discussion of the proposed waiver until early 2021. Balancing IP Rights and Access to Medicines Not New to WTO This waiver controversy comes nearly two decades after the end of the long battle in the multilateral trading system over access to HIV/AIDS drugs. At the height of the HIV/AIDS crisis at the turn of the century, numerous countries, including especially those from sub‐​Saharan Africa, could not afford the high‐​priced HIV/AIDS drugs patented by pharmaceutical companies in developed countries. Having spent billions of dollars on developing the drugs, the patent holders resisted lowering their prices. The credibility of the companies, the countries that supported them, and the WTO itself were all damaged by an extended controversy over whether patent rights should take precedence over providing affordable medicines for people afflicted by a lethal disease. Article 8 of the WTO Agreement on the Trade‐​Related Aspects of Intellectual Property Rights (the TRIPS Agreement) provides that WTO members “may, in formulating or amending their laws and regulations, adopt measures necessary to protect public health … provided that such measures are consistent with the provisions of this Agreement.” In similar vein, Article 7 of the TRIPS Agreement provides that the “protection and enforcement of intellectual property rights” shall be “in a manner conducive to social and economic welfare.”6 It can be maintained that these two WTO IP rules are significantly capacious to include any reasonable health measures that a WTO member may take during a health emergency, such as a pandemic. Yet there was doubt among the members during the HIV/AIDS crisis about the precise reach of these provisions. As Jennifer Hillman of the Council on Foreign Relations observed, ordinarily the “inherent tension between the protection of intellectual property and the need to make and distribute affordable medicines” is “resolved through licensing, which allows a patent holder to permit others to make or trade the protected product—usually at a price and with some supervision from the patent holder to ensure control.”7 But, in public health emergencies, it may be impossible to obtain a license. In such cases, “compulsory licenses” can be issued to local manufacturers, authorizing them to make patented products or use patented processes even though they do not have the permission of the patent holders.8

#### WTO cred solves nuclear war – allows an off-track for nuclear weapons.

Hamann 09 [(Georgia Hamann is a J.D. Candidate, Vanderbilt University Law School, “Replacing Slingshots with Swords: Implications of the Antigua-Gambling 22.6 Panel Report for Developing Countries and the World Trading System,” 2009.] TDI

**Voluntary compliance with WTO rules** and procedures is of the utmost importance **to the international trading system**.'0 0 Given the increasingly globalized market, the coming years will see an increase in the importance of the WTO **as a cohesive force and arbiter of disputes that likely will become more frequent and injurious**. **01' The work of the WTO cannot be overstated in a nuclear-armed world,** as the body continues to promote respect and even amity among nations with opposing philosophical goals or modes of governance. 10 2 Demagogues in the Unites States may decry the rise of China as a geopolitical threat, 0 3 and extremists in Russia may play dangerous games of brinksmanship with other great powers, **but trade keeps politicians' fingers off "the button**. ' 10 4 **The WTO offers an astounding rate of compliance** for an organization with no standing army and no real power to enforce its decisions, suggesting that governments recognize the value of maintaining the international construct of the WTO. 105 **In order to promote voluntary compliance, the WTO must maintain a high level of credibility**. 106 Nations must perceive the WTO as the most reasonable option for dispute resolution or fear that the WTO wields enough influence to enforce sanctions. 10 7 The arbitrators charged with performing the substantive work of the WTO by negotiating, compromising, and issuing judgments are keenly aware of the responsibility they have to uphold the organization's credibility. 108

# Case

#### Licensing problems, regulatory complexity, and city bans are alt causes

**White 18** [Martha White, NBC writer, “Growing like a weed? California marijuana market off to slow start”, April 20th, https://www.nbcnews.com/business/business-news/growing-weed-california-marijuana-market-slow-start-n867871?icid=related]

“The launch of the California market has been a total mess, and not entirely unexpected,” said Troy Dayton, CEO and co-founder of cannabis market research firm Arcview Group. “This is the most complex, onerous and far-reaching regulatory scheme that’s ever been tried. Every time you add a level of complexity, you add a level of uncertainty,” he said. According to research firm BDS Analytics, 2018 sales at dispensaries licensed to sell for recreational use in California were $339 million through February, a figure below the state’s expectations. Greg Shoenfeld, vice president of operations at BDS Analytics, said initial projections could have been overly optimistic.”Whenever there’s a proposal to move to a legalized market, the best case scenarios are laid out in terms of revenue expectation, but typically, implementation moves a bit slower,” he said. Experts suggest that much of the industry is still operating underground. “We estimate that 85 to 90 percent of the industry that existed last year is not licensed,” said Chris Beals, president and general counsel for Weedmaps. Although some faulted the state for its pace of issuing licenses, Beals said the bottleneck was happening at the municipal level. “The biggest problem has been that there’s been a complete failure of local governments to issue licenses,” he said, adding that 85 percent of cities and counties in the state have bans on recreational marijuana retailers. The thinking goes that, without legal storefronts from which to purchase their cannabis products, people will continue to rely on the black market.

#### Big Pharma patent monopolies have failed – their Thailand example proves – the patents were indefinitely banned.

Reuters 19 Staff. “Thailand to Revoke Foreign Patent Requests on Marijuana.” Reuters, Thomson Reuters, 28 Jan. 2019, www.reuters.com/article/us-thailand-cannabis/thailand-to-revoke-foreign-patent-requests-on-marijuana-idUSKCN1PM1FU. //sid

Thailand on Monday effectively revoked all foreign patent requests for the use of marijuana, after fears foreign firms would dominate a market thrown open last month when the government approved the drug for medical use and research. The junta-appointed parliament in Thailand, a country which until the 1930s had a tradition of using marijuana to relieve pain and fatigue, voted to amend the Narcotic Act of 1979 in December in what it described as “a New Year’s gift to the Thai people”. While countries from Colombia to Canada have legalized marijuana for medical or even recreational use, the drug remains illegal and taboo across much of Southeast Asia. But in Thailand, the main controversy with the legalization involved patent requests by two foreign firms, British giant GW Pharmaceuticals and Japan’s Otsuka Pharmaceutical, filed before the change to the law. Thai civil society groups and researchers feared domination by foreign firms could make it harder for Thai patients to get access to medicines and for Thai researchers to get marijuana extracts. ADVERTISEMENT The military government issued a special executive order on Monday enabling the Department of Intellectual Property to revoke all pending patents that involve cannabis, or remove marijuana from those patents, within 90 days. “The pending patent requests are illegal,” Somchai Sawangkarn, a member of parliament responsible for amending the Narcotic Act told Reuters. “This NCPO order is beneficial for Thai people across the country because it prevents a monopolistic contract,” he said referring to the junta by its official name, the National Council for Peace and Order. Reuters did not have contact details for spokesmen for either of the two foreign firms and the companies did not immediately respond to emailed requests for comment.

#### Defensive publications and patent monitoring solves disads to patents

Landau 19 NICHOLAS J. LANDAU (PH.D.), JAMES W. WRIGHT, JR. 4/30/2019, Difficulties Face Cannabis Patents, Trademarks, and Other Forms of Intellectual Property, https://www.bradley.com/insights/publications/2019/04/difficulties-face-cannabis-patents-trademarks-and-other-forms-of-intellectual-property/SJKS

While this might seem like an opportunity for marijuana breeders, it also poses a threat to anyone in the marijuana industry. If the USPTO grants a patent on an old strain of the plant, those who have already been using the strain could incur liability. The fear of frivolous litigation has the potential to create chaos in the industry. Ultimately one would expect patents for old strains to be invalidated in court; nevertheless, evidence of invalidity could be hard to obtain, and litigation is costly even for the prevailing party. Many would be inclined to give up the use of a strain or settle the matter out of court even when the case involves an invalid patent. The impact of this problem can be reduced by various measures. For example, in many industries the impact of poor-quality patents is minimized by proactively publishing information about existing technology (“defensive publications”). These publications are made available to the USPTO to prevent others from patenting what they describe. Marijuana breeders could do the same and publish the details of their past and new strains to defend against someone else patenting those strains. Another way to reduce the impact of the lax patenting regime is to monitor new marijuana patents at the USPTO. Once alerted to a new marijuana patent or application, one can take appropriate action to avoid infringement, challenge the patent or application, seek a license, etc.

#### Cannabis patents have no impact on consumers

Roberts 20 Chris Roberts (Contributor, Forbes) Why Patent Cannabis? For Markets, Mostly, Forbes, https://www.forbes.com/sites/chrisroberts/2020/05/28/why-patent-cannabis-for-markets-mostly/?sh=51e038e514c3/SJKS

Okay! But so what? Why patent a hemp strain—why patent two? What does it all mean? Does Charlotte’s Web now have legal claim to the entire CBD game?To the last question, no. And as for what this means, for normal people and cannabis consumers, very little. For patent attorneys or competitors of Charlotte’s Web in the CBD industry, it portends a little more, but just a little. At least for now, cannabis patents like this one aren’t really intended to defend intellectual property in court—which is where a patent has its most practical value. No, this patent is probably meant for the market. Patents like this exist mostly for companies to satisfy and woo investors, for whom a company’s ability to say “Look! I have a patent” might be the difference between signing a check, or not. And like all publicly traded cannabis companies, Charlotte’s Web has a lot of spooked and angry investors who need pleasing

#### Federal prohibition on cannabis means patents are not enforceable.

McNichol 19 William McNichol (teaches Intellectual Property as well as Cannabis Law courses at Rutgers Law School. He is a patent attorney, a member of the New York and Washington bars, and a former partner at Reed Smith LLP )6/7/19, Courts are Unlikely to Enforce Cannabis Patents, <https://globalcannabiscompliance.bakermckenzie.com/2019/06/07/courts-are-unlikely-to-enforce-cannabis-patents/> SJKS

Owners of Cannabis patents will face different problems in court. Federal courts will not resolve disputes concerning the fruits of illegal activity, nor will they enforce rights or agreements in furtherance of a crime. As early as 1886 in *Higgins et al. v. McCrea*, 116 U.S. 671, the Supreme Court held that a court will not aid a party who founds his action on acts which are “illegal, criminal, and void … [in] a court whose duty it is to give effect to the law which the party admits he intended to violate.” The *Higgins* decision relied on earlier English decisions, including *The Highwayman’s Case*, where two highwaymen committed a series of robberies and one sued the other, claiming that he had been cheated out of his share of the proceeds. The Court refused to consider the suit, turned the highwaymen over to the sheriff, and fined their lawyers for bringing a suit “both scandalous and impertinent.” *Higgins* also relied upon *Holman v. Johnson* (1775), 1 Cowp. 341, where Lord Mansfield wrote that “If, from the plaintiff’s own stating or otherwise, the cause of action appears to arise *ex turpi causa*,or the transgression of a positive law of this country, there the court says that he has no right to be assisted. It is upon that ground the court goes; not for the sake of the defendant, but because they will not lend their aid to such a plaintiff.” This refusal to adjudicate disputes founded in illegality remains a robust feature of American jurisprudence. In 1961 the Supreme Court held in *U.S. v. Mississippi Valley Generating Co*., 364 U.S. 520 (1961), that a contract made in violation of a criminal conflict of interest statute would not be enforced. In 1966, the Supreme Court held in *U.S. v. Acme Process Equipment Co*., 385 U.S. 138 (1966), *reh. den*. 385 U.S. 1032, that a contract made in violation of the criminal provisions of the Anti-Kickback Act would not be enforced. In 2001 in *Formby-Denson v. Dept. of the Army*, 247 F.3d 1366 (Fed. Cir 2001), the Federal Circuit (which has exclusive appellate jurisdiction over patent cases) refused to enforce a settlement agreement that would have required the parties to conceal criminal acts from law enforcement, which would itself be a crime. The distribution and sale of Cannabis products are crimes under Federal law, notwithstanding repeal by states of their own Cannabis laws. *Gonzales v. Raich*, 545 U.S. 1 (2005). The plaintiff in a patent infringement action will be asking a Federal court to enforce the plaintiff’s exclusive right to commit certain crimes by protecting his criminal enterprise from competition by another criminal enterprise. The inconsistency of this position will not be lost on a Federal judge who may have that very day sentenced someone to jail for distributing *Cannabis* products.

#### Marijuana causes emissions

Davis 8/22 [Melanie David, August 22, 2021. “How The Current Weed Industry Is Bad For The Environment” <https://www.gossipcop.com/how-the-current-weed-industry-is-bad-for-the-environment/2570638/> Accessed 8/22 //gord0]

Cannabis is a plant. Unlike other drugs, it doesn’t come from a lab. Since the ’60s, weed has been associated with earth-loving hippies and pacifists. Yet, despite its natural origins, the weed industry is actually harming the planet. The industry’s carbon footprint is growing rapidly for several reasons. Together, these problems roll up into one huge, complicated joint. So sit back, spark it up and get ready—this one is a doozy. The Environmental Impact Of Cannabis Alone The problem of weed cultivation is a layered one. Its roots stretch into law, agriculture, racial inequity and interstate commerce. First, let’s start with the plant itself. The [Press Democrat reported in 2014](https://www.pressdemocrat.com/article/news/effort-afoot-to-develop-water-use-rules-for-pot-growers/) that the average pot plant consumes up to six gallons of water per day. At this rate, these plants drink enough water to fill 160 Olympic-sized swimming pools over five months. Researchers determined this through satellite images from California’s “Emerald Triangle” (Mendocino, Humboldt and Trinity counties). That’s only three counties in one state. There are 37 other states with supplies of thirsty pot plants. A single adult plant also [emits hundreds of harmful BVOCs](https://pubmed.ncbi.nlm.nih.gov/31498732/https:/pubmed.ncbi.nlm.nih.gov/31498732/) a day. These BVOCs cause the [same type of air pollution](https://scied.ucar.edu/learning-zone/air-quality/ozone-troposphere#:~:text=Tropospheric%20ozone%20is%20formed%20by,occur%20during%20warm%20summer%20months.) as car exhausts and smokestacks. Of course, weed isn’t the only thirsty crop we grow in the United States. One pound of [cannabis requires one gallon](https://www.newsreview.com/sacramento/content/how-much-water-does-cannabis-really-need/17831417/) of water. One pound of [almonds requires 1,900](https://www.paesta.psu.edu/podcast/how-much-water-does-it-really-take-grow-almonds-paesta-podcast-series-episode-43#:~:text=To%20grow%20one%20almond%20requires,high%20demand%20at%20this%20time.). However, we didn’t demonize almonds for 100 years [under racial pretenses](https://www.aclu.org/blog/criminal-law-reform/drug-law-reform/marijuana-legalization-racial-justice-issue). As I said, this issue’s roots run deep. (Legal) Grow Operations’ Carbon Footprint Weed laws differ across state lines. Therefore, we have to consider both legal and illegal grow operations. Both come with their fair share of concerns. [According to Politico](https://www.politico.com/news/2021/08/10/weed-cannabis-legalization-energy-503004), 80% of weed is grown indoors. Indoor growing maximizes plant yield, and the name of the game here is profit. [This California study shows](https://www.researchgate.net/publication/254408509_The_carbon_footprint_of_indoor_Cannabis_production) that indoor facilities use up to 2,000 watts of electricity per square meter. Additionally, it found that producing one kilogram of weed emits 4600kg of carbon dioxide. The [Resource Innovation Institute’s 2020 data](https://www.healtheuropa.eu/a-resource-efficient-cannabis-industry-starts-with-benchmarking/103049/) shows that indoor grow operations have the largest environmental impact. Outdoor growing has the least. Finally, greenhouse operations sit in the middle. They use around 45% of the energy of an indoor site. Switching to LED lights can help increase indoor efficiency. The [Cannabis Reporter cites the EPA](https://thecannabisreporter.com/cannabis-has-a-big-carbon-footprint-heres-how-leds-reduce-it/) as saying, “LEDs offer the potential for cutting general lighting energy use nearly in half by 2030.” But of course, it isn’t as simple as indoor vs. outdoor. Across all locales, Bloomberg Environment estimates that legal cannabis cultivation in the U.S. [consumed 1.1 million megawatt-hours of electricity in 2017](https://news.bloomberglaw.com/environment-and-energy/states-want-pot-to-grow-greener-as-legal-cannabis-expands). That’s enough to power 92,500 homes for a year. Now, the keyword here is “legal.” Bloomberg’s data doesn’t take into account illegal operations. These operations are harder to track, but their environmental impacts aren’t. (Illegal) Grow Operations’ Carbon Footprint The United States [made cannabis illegal in 1937](https://www.britannica.com/story/why-is-marijuana-illegal-in-the-us#:~:text=Aided%20by%20an%20eager%20news,illegal%20across%20the%20United%20States.). 59 years later, California became the first state to legalize cannabis with [Proposition 215](https://ballotpedia.org/California_Proposition_215,_Medical_Marijuana_Initiative_(1996)). However, cannabis didn’t drop off the face of the earth during those 59 years. Illegal grow operations continued throughout cannabis’s prohibition, and they continue today. In Humboldt County, California, law enforcement officers found [14,000 illegal grow sites](https://www.jstor.org/stable/90023267?mag=the-environmental-downside-of-cannabis-cultivation&seq=3#metadata_info_tab_contents) on federal or private lands in 2018. Growers log heavily wooded areas to make room for farms. In doing so, they displace wildlife and use up vital water resources. Weed’s Long-Lasting Effects On Wildlife Illegal operations don’t follow the same environmental standards as legal ones, either. [NPR reported in 2019](https://www.npr.org/2019/11/12/773122043/illegal-pot-grows-in-americas-public-forests-are-poisoning-wildlife-and-water) that many of these “trespass grow” sites use massive quantities of pesticides and other chemicals. These chemicals include Bromethalin, a rat poison, and carbofuran, an [insecticide banned by the EPA in 2009](https://archive.epa.gov/pesticides/reregistration/web/html/carbofuran_noic.html). Ecologist Greta Wengert spoke to NPR at an illegal grow site. During the interview, she points to a tree where she found a gallon of carbofuran. “It is incredibly toxic,” she told NPR. “A quarter-teaspoon could kill a 600-pound black bear. So, just a tiny amount can kill a human. It remains in an ecosystem for a long period of time.” “We have detected [carbofuran] in the soil, cannabis plants, in native vegetation, the water, the infrastructure,” Wengert continues. “You name it, we have detected it. It’s horrible.” Mule deer, gray foxes, coyotes, northern spotted owls and ravens [have also been victims of poisoning](https://www.fs.fed.us/psw/publications/thompson/psw_2017_thompson001.pdf) linked to weed farms. But these poisons affect more than the animals who ingest them. The Pacific fisher, a type of weasel, is [reaching endangered status](https://www.hcn.org/blogs/goat/between-wildfire-and-weed-pacific-fisher-survival-hangs-in-the-balance) at an alarming rate. When fishers ingest the poison, they pass those toxins to their offspring in utero. Salmon, too, are in [danger of extinction](https://www.npr.org/sections/thesalt/2014/01/08/260788863/californias-pot-farms-could-leave-salmon-runs-truly-smoked) due to dwindling water sources.

#### Cannabis ag fragments forests and kills mammal biodiversity

Shoemaker 17 [Stephen Shoemaker, Ithaca College, WRITER AND CONTENT SPECIALIST, PUBLIC RELATIONS, CREATIVE AND MARKETING GROUP) Co Authored by Jake Brenner, Associate Prof. of Environmental Studies and Sciences at Ithaca) “Ithaca College Professor Finds Cannabis Cultivation Hurts Environment” IC News, Oct 31 2017] RM

Planting cannabis for commercial production in remote locations is creating forest fragmentation, stream modification, soil erosion and landslides. Without land-use policies to limit its environmental footprint, the impacts of cannabis farming could get worse, according to a new study published in the November issue of Frontiers in Ecology and the Environment. Earlier studies have shown that cannabis production causes environmental damage, including rodenticide poisoning of forest mammals and dewatering of streams due to improper irrigation. Cannabis, as either a medicinal or recreational drug, is now legal in more than 30 U.S. states and in several countries. In California, where medicinal marijuana has been legal since 1996, voters in November approved the sale and possession of one ounce of marijuana for recreational use. As a result, cannabis production is ramping up. "Cannabis leaves a small spatial footprint but has potentially significant environmental impacts," said co-author Jake Brenner, associateprofessor in the Department of Environmental Studies and Sciences at Ithaca College. "To mitigate these impacts, policymakers and planners need to enact specific environmental and land-use regulations to control cannabis crop expansion during this early stage in its development." Scale matters Effective policymaking for a new crop can be challenging without scientific data. In this study, Brenner, along with Van Butsic, a University of California Cooperative Extension specialist in UC Agriculture and Natural Resources and the UC Berkeley Department of Environmental Science, Policy and Management, and Ian J. Wang, assistant professor in the UC Berkeley Department of Environmental Science, Policy and Management, present an approach for early assessment of landscape changes resulting from new agricultural activities. Their approach uses per-unit-area analysis of landscape change. To study forest fragmentation in northern California, the scientists compared the effects of cannabis cultivation to those of timber harvest from 2000 to 2013 in Humboldt County. Based on the size, shape and placement of the cannabis grows among 62 randomly selected watersheds, they quantified the impacts relative to those of timber harvest. "We found that although timber has greater landscape impacts overall, cannabis causes far greater changes in key metrics on a per-unit-area basis," said Butsic. On a per-unit-area basis, the cannabis grows resulted in 1.5 times more forest loss and 2.5 times greater fragmentation of the landscape, breaking up large, contiguous forest into smaller patches and reducing wildlife habitat. "The results show how important it is to consider environmental impacts at different scales," said Brenner. Current California law caps the size of outdoor cannabis production to 1 acre per parcel, to prohibit the development of industrial-scale cannabis operations outdoors. An unintended consequence of this law may be small dispersed cannabis grows that edge out wildlife. While the long-term effects of cannabis cultivation on the environment are unknown, the researchers concluded that land management and agricultural policy informed by further research may reduce these threats in California and in other states and countries where cannabis production can be regulated. "Studies like this one have the potential to directly inform local land-use policy and state environmental regulation," said Brenner. "It's exciting to be a part of this research because it is capturing a human-environment phenomenon at the moment of its emergence."

#### Continued biodiversity loss causes extinction -turns water scarcity bc ecosystem services

Corbett 2/19 [(Jessica, a staff writer for Common Dreams) Internally cites IPBES (the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, an intergovernmental organization established to improve the interface between science and policy on issues of biodiversity and ecosystem services.) “World Leaders Urged to 'Act Now' to Save Biodiversity” EcoWatch, 2/19/2020] BC

Ahead of government negotiations scheduled for next week on a global plan to address the biodiversity crisis, 23 former foreign ministers from various countries released a statement on Tuesday urging world leaders to act "boldly" to protect nature. "It is clear to us... that climate change, ecosystem degradation, and the excessive exploitation of natural resources are now threatening millions of species with extinction and jeopardizing the health of our planet," says the statement. "The loss and degradation of nature jeopardizes human health, livelihoods, safety, and prosperity. It disproportionately harms our poorest communities while undermining our ability to meet a broad range of targets set by the United Nations Sustainable Development Goals." "The world has a moral imperative to collaborate on strong actions to mitigate and adapt to the current climate change and biodiversity crisis. Ambitious targets for conservation of land and ocean ecosystems are vital components of the solution," the statement continues. "Humanity sits on the precipice of irreversible loss of biodiversity and a climate crisis that imperils the future for our grandchildren and generations to come. The world must act boldly, and it must act now." A U.N. report released in May 2019 by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) warned that, as Common Dreams reported at the time, "human exploitation of the natural world has pushed a million plant and animal species to the brink of extinction—with potentially devastating implications for the future of civilization." That report and a growing body of scientific research on rapidly declining biodiversity has led scientists and policymakers alike to raise the alarm about the consequences of not acting ambitiously enough to address what experts have called the "sixth mass extinction." U.N. biodiversity chief Elizabeth Maruma Mrema told the Guardian last month that humanity risks being left to contend with an "empty world." The new statement from diplomats came before the Feb. 24–29 meeting of the Working Group on the Post-2020 Global Biodiversity Framework, which was recently moved from Kunming, China to Rome, Italy due to the ongoing coronavirus disease (COVID-19) outbreak. The event will build on an August 2019 meeting in Nairobi, Kenya. A third meeting in Cali, Colombia is planned for July.

#### COVID and various African economic issues should have thumped like 08, Libyan crisis, post-Cold War governance and despotism make instability non-UQ.

#### Multiple Alt-Causes to African instability

Mead 13. [(Walter Mead is a James Clarke Chace Professor of Foreign Affairs and Humanities, Bard College) “Peace in The Congo? Why the World Should Care,” The American Interest, December 15, 2013. <https://www.the-american-interest.com/2013/12/15/peace-in-the-congo-why-the-world-should-care/> //Re-cut by Elmer

One of the biggest questions of the 21st century is whether this destructive dynamic can be contained, or whether the demand for ethnic, cultural and/or religious homogeneity will continue to convulse world politics, drive new generations of conflict, and create millions more victims. The **Congo conflict** is a disturbing piece of evidence suggesting that, in Africa at least, there is potential for this kind of conflict. The Congo war (and the long **Hutu-Tutsi conflict** in neighboring countries) is not, unfortunately alone. The **secession of South Sudan** from Sudan proper, the wars in what remains of that unhappy country, the secession of **Eritrea** from Ethiopia and the **rise of Christian-Muslim tension right across Africa** (where religious conflict often is fed by and intensifies “tribal”—in Europe we would say “ethnic” or “national”—conflicts) **are** strong **indications that** the **potential for** huge and destructive **conflict across Africa is very real**. But one must look beyond Africa. The Middle East of course is aflame in religious and ethnic conflict. The old British Raj including India, Pakistan, Bangladesh, Burma and Sri Lanka offers countless examples of ethnic and religious conflict that sometimes is contained, and sometimes boils to the surface in horrendous acts of violence. Beyond that, rival nationalisms in East and Southeast Asia are keeping the world awake at night. The Congo war should be a reminder to us all that the foundations of our world are dynamite, and that the potential for new conflicts on the scale of the horrific wars of the 20th century is very much with us today. The second lesson from this conflict stems from the realization of how much patience and commitment from the international community (which in this case included the Atlantic democracies and a coalition of African states working as individual countries and through various international institutions) it has taken to get this far towards peace. Particularly at a time when many Americans want the US to turn inwards, there are people who make the argument that it is really none of America’s business to invest time and energy in the often thankless task of solving these conflicts. That might be an ugly but defensible position if we didn’t live in such a tinderbox world. Someone could rationally say, yes, it’s terrible that a million plus people are being killed overseas in a horrific conflict, but the war is really very far away and America has urgent needs at home and we should husband the resources we have available for foreign policy on things that have more power to affect us directly. The problem is that these wars spread. They may start in places that we don’t care much about (most Americans didn’t give a rat’s patootie about whether Germany controlled the Sudetenland in 1938 or Danzig in 1939) but they tend to spread to places that we do care very much about. This can be because a revisionist great power like Germany in 1938-39 needs to overturn the balance of power in Europe to achieve its goals, or it can be because instability in a very remote place triggers problems in places that we care about very much. Out of Afghanistan in 2001 came both 9/11 and the waves of insurgency and instability that threaten to rip nuclear-armed Pakistan apart or with trigger wider conflict India. Out of the mess in Syria a witches’ brew of terrorism and religious conflict looks set to complicate the security of our allies in Europe and the Middle East and even the security of the oil supply on which the world economy so profoundly depends. Africa, and the potential for upheaval there, is of more importance to American security than many people may understand. The line between Africa and the Middle East is a soft one. The weak states that straddle the southern approaches of the Sahara are ideal petri dishes for Al Qaeda type groups to form and attract local support. There are networks of funding and religious contact that give groups in these countries potential access to funds, fighters, training and weapons from the Middle East. A war in the eastern Congo might not directly trigger these other conflicts, but it helps to create the swirling underworld of arms trading, money transfers, illegal commerce and the rise of a generation of young men who become experienced fighters—and know no other way to make a living. It destabilizes the environment for neighboring states (like Uganda and Kenya) that play much more direct role in potential crises of greater concern to us.

#### No impact to Africa war

**Straus 12**—professor of politics at the University of Wisconsin (Scott, WARS DO END! CHANGING PATTERNS OF POLITICAL VIOLENCE IN SUB-SAHARAN AFRICA, afraf.oxfordjournals.org/content/early/2012/03/01/afraf.ads015.full)

The principal finding is that in the twenty-first century both the volume and the character of civil wars have changed in significant ways.5 Civil wars are and have been the dominant form of warfare in Africa, but they have **declined steeply in recent years,** so that today there are half as many as in the 1990s. This change tracks global patterns of decline in warfare.6 While some students of African armed conflicts, such as Paul Williams, note the recent trend,7 it is fair to say that **the change in the prevalence of civil wars is not recognized** by most Africanists and generalists. Equally important but even less noted is that the character of warfare in Africa has changed. Today's wars are typically fought on the peripheries of states, and insurgents tend to be **militarily weak and factionalized**. The **large wars that pitted** major **fighting forces against each other,** in which insurgents threatened to capture a capital or to have enough power to secede, and in which insurgents held significant territory – from the Biafra secessionists in Nigeria, to UNITA in Angola, RENAMO in Mozambique, the TPLF in Ethiopia, the EPLF in Eritrea, the SPLM in Sudan, the NRM in Uganda and the RPF in Rwanda – **are few and far between** in contemporary sub-Saharan Africa. Somalia's Al-Shabab holds territory and represents a significant threat to the Somali federal transitional government, but given the 20-year void at the centre of Somalia the case is not representative. In April 2011, rebel forces in Côte d'Ivoire captured Abidjan, but they did so with external help and after incumbent Laurent Gbagbo, facing a phalanx of domestic, regional, and international opposition, tried to steal an election.8 More characteristic of the late 2000s and the early 2010s are the low-level insurgencies in Casamance (Senegal), the Ogaden (Ethiopia), the Caprivi strip (Namibia), northern Uganda (the Lord's Resistance Army), Cabinda (Angola), Nigeria (Boko Haram), Chad and the Central African Republic (various armed groups in the east), Sudan (Darfur), and South Sudan, as well as the insurgent-bandits in eastern Congo (a variety of armed actors, including Rwandan insurgents) and northern Mali (al-Qaeda in the Maghreb). Although these armed groups are in some cases capable of sowing terror and disruption, they **tend to be small in size, internally divided, poorly structured and trained, and without access to heavy weapons**.9 Several of today's rebel groups have strong transnational characteristics, that is, insurgents move fluidly between states. Few are at present a significant military threat to the governments they face or in a position to seize and hold large swaths of territory.