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## 1

#### The standard is maximizing expected foreseen well-being.

#### Pleasure is both unconditionally and intrinsically valuable.

Goldstein 89 [Irwin Goldstein, “Pleasure and Pain: Unconditional, Intrinsic Values”, Philosophy and Phenomenological Research , Dec., 1989, Vol. 50, No. 2 (Dec., 1989), pp. 255-276, International Phenomenological Society, <https://www.jstor.org/stable/2107959?seq=1#metadata_info_tab_contents>, Irvin Goldstein was a philosophy professor at Davidson College for 31 years] //Lex AKu

What is good overall, right, or obligatory varies according to effects. Each is context-dependent and may vary across cultures. Evaluations of what is so universally are hazardous; such high level principles seem inevitably to meet expectations. We need not expect exertion to be good overall univer- sally: its value hinges on effects, which vary. What is right may vary with context and so cross-culturally. Even stealing and killing are sometimes right (Noddings, i984: 93). If he is using 'moral demands' to designate duties (actual, not prima facie) and to exclude intrinsic badness, Gilbert Harman may be correct in saying "there are no basic moral demands that apply to everyone" (I984: 27). Though calling all members in a class good is risky, intrinsic universal evaluations can be less precarious than other universal evaluations. Pleasure's intrinsic worth is not context-dependent and so not subject to con- textual fluctuations. When in pain, I can immediately recognize bad even if I am oblivious to the sensation's context and indifferent to moral considerations; pain's intrinsic badness is not founded in and so potentially undermined by pain's surroundings. Because we direct so many evalua- tions to what is good overall or morally good, much of what we justly call 'good' simpliciter is good only in some circumstances. This helps camouflage the fact that pleasure and other value-conferring ends are good in themselves unconditionally. Pleasure is good as such, because of its pleasurableness, not because of some further good quality which colors pleasure and may or may not be present. The foundation of pleasure's goodness, its pleasurableness, marks every pleasure. How could pleasure fail to be intrinsically good? G. E. Moore's reasoning resembles mine when he writes that a judgment of intrinsic goodness "if true of one instance of the thing in question, is necessarily true of all" (1903: 27). Since at least some pleasure is good intrinsically simply because of its pleasurableness, pleasure should always be good intrinsically, whatever the society, and so be an unconditional value. Pleasure's standing as an intrinsic value is founded in pleasure's nature. Appreciating its value and understanding what pleasure is are not inde- pendent projects. Intrinsic goodness is not merely incidental to pleasure; I suggest it is fundamental to what makes an experience pleasure. As hot and cold are opposites in temperature and north and south in direction, so pleasure and pain, both physical and emotional, are opposites in intrinsic agreeability. Heat is ipso facto, and thus always, linked to high tempera- ture; so, achieved in a virtuous or vicious activity, pleasure in itself is ipso facto and so always agreeable and pain ipso facto and so always disagree- able. I propose that pleasure's goodness - which for me is, in part, its char- acter of affording valid, intrinsic grounds for desire - fixes pleasure's agreeableness, and pain's badness dictates its disagreeableness.' Plea- sure and pain, then, contrast with experiences of warmth or coldness, which are linked to value only incidentally: pleasure and pain are oppo- sites through their opposing intrinsic worth. For every pleasure, intrinsic goodness is fundamental to what marks a psychological occurrence, localized or nonlocalized, as pleasure. Grounding dislike, having dis- value, is a defining feature of the unpleasant and so common to all unpleasantness. This view of pleasure answers pluralists, who detect no property shared by all pleasure which unites the diverse phenomena we label 'pleasure' into a single class.'6 The interrelated properties of pleasure's agreeable- ness, its natural tendency to attract sentient beings and, more fundamen- tally, its intrinsic nonmoral goodness and intrinsic grounding of desire unify the psychological occurrences, localized and nonlocalized, we label 'pleasure'. Pain, physical and emotional, forms a single class opposite to pleasure through its disagreeableness, its tendency to repel, its intrinsic badness and grounding of aversion."

#### 2] Util is a lexical pre-requisite to any other framework: Threats to bodily security and life preclude the ability for moral actors to effectively utilize and act upon other moral theories since they are in a constant state of crisis that inhibit the ideal moral conditions which other theories presuppose. That precludes the ability to have agency and have the value conferring status that their framework says is valuable

#### 3] Actor specificity: A] Governments must aggregate since every policy benefit some and harms others, which also means side constraints freeze action. B] States lack wills or intentions since policies are collective actions. C] No act omission distinction---choosing to omit is an act itself – people psychologically decide not to act. Actor-specificity comes first since different agents have different ethical standings. Takes out util calc indicts since they’re empirically denied, and link turns them because the alt would be *no* action. AND No intent foresight distinction – if I forsee

#### 4] Ground – every impact function under util whereas other ethics can flow to one side exclusively. Util ensures equal playing field since affirmatives have different advantage areas and negs can read different pics, cps and disads. Kills fairness since we both need equal playing field.

#### 5] Extinction is the biggest impact.

Pummer 15 [Theron, Junior Research Fellow in Philosophy at St. Anne's College, University of Oxford. “Moral Agreement on Saving the World” Practical Ethics, University of Oxford. May 18, 2015] AT

There appears to be lot of disagreement in moral philosophy. Whether these many apparent disagreements are deep and irresolvable, I believe there is at least one thing it is reasonable to agree on right now, whatever general moral view we adopt: that it is very important to reduce the risk that all intelligent beings on this planet are eliminated by an enormous catastrophe, such as a nuclear war. How we might in fact try to reduce such existential risks is discussed elsewhere. My claim here is only that we – whether we’re consequentialists, deontologists, or virtue ethicists – should all agree that we should try to save the world. According to consequentialism, we should maximize the good, where this is taken to be the goodness, from an impartial perspective, of outcomes. Clearly one thing that makes an outcome good is that the people in it are doing well. There is little disagreement here. If the happiness or well-being of possible future people is just as important as that of people who already exist, and if they would have good lives, it is not hard to see how reducing existential risk is easily the most important thing in the whole world. This is for the familiar reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. There are s’o many possible future people that reducing existential risk is arguably the most important thing in the world, even if the well-being of these possible people were given only 0.001% as much weight as that of existing people. Even on a wholly person-affecting view – according to which there’s nothing (apart from effects on existing people) to be said in favor of creating happy people – the case for reducing existential risk is very strong. As noted in this seminal paper, this case is strengthened by the fact that there’s a good chance that many existing people will, with the aid of life-extension technology, live very long and very high quality lives. You might think what I have just argued applies to consequentialists only. There is a tendency to assume that, if an argument appeals to consequentialist considerations (the goodness of outcomes), it is irrelevant to non-consequentialists. But that is a huge mistake. Non-consequentialism is the view that there’s more that determines rightness than the goodness of consequences or outcomes; it is not the view that the latter don’t matter. Even John Rawls wrote, “All ethical doctrines worth our attention take consequences into account in judging rightness. One which did not would simply be irrational, crazy.” Minimally plausible versions of deontology and virtue ethics must be concerned in part with promoting the good, from an impartial point of view. They’d thus imply very strong reasons to reduce existential risk, at least when this doesn’t significantly involve doing harm to others or damaging one’s character. What’s even more surprising, perhaps, is that even if our own good (or that of those near and dear to us) has much greater weight than goodness from the impartial “point of view of the universe,” indeed even if the latter is entirely morally irrelevant, we may nonetheless have very strong reasons to reduce existential risk. Even egoism, the view that each agent should maximize her own good, might imply strong reasons to reduce existential risk. It will depend, among other things, on what one’s own good consists in. If well-being consisted in pleasure only, it is somewhat harder to argue that egoism would imply strong reasons to reduce existential risk – perhaps we could argue that one would maximize her expected hedonic well-being by funding life extension technology or by having herself cryogenically frozen at the time of her bodily death as well as giving money to reduce existential risk (so that there is a world for her to live in!). I am not sure, however, how strong the reasons to do this would be. But views which imply that, if I don’t care about other people, I have no or very little reason to help them are not even minimally plausible views (in addition to hedonistic egoism, I here have in mind views that imply that one has no reason to perform an act unless one actually desires to do that act). To be minimally plausible, egoism will need to be paired with a more sophisticated account of well-being. To see this, it is enough to consider, as Plato did, the possibility of a ring of invisibility – suppose that, while wearing it, Ayn could derive some pleasure by helping the poor, but instead could derive just a bit more by severely harming them. Hedonistic egoism would absurdly imply she should do the latter. To avoid this implication, egoists would need to build something like the meaningfulness of a life into well-being, in some robust way, where this would to a significant extent be a function of other-regarding concerns (see chapter 12 of this classic intro to ethics). But once these elements are included, we can (roughly, as above) argue that this sort of egoism will imply strong reasons to reduce existential risk. Add to all of this Samuel Scheffler’s recent intriguing arguments (quick podcast version available here) that most of what makes our lives go well would be ndermined if there were no future generations of intelligent persons. On his view, my life would contain vastly less well-being if (say) a year after my death the world came to an end. So obviously if Scheffler were right I’d have very strong reason to reduce existential risk. We should also take into account moral uncertainty. What is it reasonable for one to do, when one is uncertain not (only) about the empirical facts, but also about the moral facts? I’ve just argued that there’s agreement among minimally plausible ethical views that we have strong reason to reduce existential risk – not only consequentialists, but also deontologists, virtue ethicists, and sophisticated egoists should agree. But even those (hedonistic egoists) who disagree should have a significant level of confidence that they are mistaken, and that one of the above views is correct. Even if they were 90% sure that their view is the correct one (and 10% sure that one of these other ones is correct), they would have pretty strong reason, from the standpoint of moral uncertainty, to reduce existential risk. Perhaps most disturbingly still, even if we are only 1% sure that the well-being of possible future people matters, it is at least arguable that, from the standpoint of moral uncertainty, reducing existential risk is the most important thing in the world. Again, this is largely for the reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. (For more on this and other related issues, see this excellent dissertation). Of course, it is uncertain whether these untold trillions would, in general, have good lives. It’s possible they’ll be miserable. It is enough for my claim that there is moral agreement in the relevant sense if, at least given certain empirical claims about what future lives would most likely be like, all minimally plausible moral views would converge on the conclusion that we should try to save the world. While there are some non-crazy views that place significantly greater moral weight on avoiding suffering than on promoting happiness, for reasons others have offered (and for independent reasons I won’t get into here unless requested to), they nonetheless seem to be fairly implausible views. And even if things did not go well for our ancestors, I am optimistic that they will overall go fantastically well for our descendants, if we allow them to. I suspect that most of us alive today – at least those of us not suffering from extreme illness or poverty – have lives that are well worth living, and that things will continue to improve. Derek Parfit, whose work has emphasized future generations as well as agreement in ethics, described our situation clearly and accurately: “We live during the hinge of history. Given the scientific and technological discoveries of the last two centuries, the world has never changed as fast. We shall soon have even greater powers to transform, not only our surroundings, but ourselves and our successors. If we act wisely in the next few centuries, humanity will survive its most dangerous and decisive period. Our descendants could, if necessary, go elsewhere, spreading through this galaxy…. Our descendants might, I believe, make the further future very good. But that good future may also depend in part on us. If our selfish recklessness ends human history, we would be acting very wrongly.” (From chapter 36 of On What Matters)

#### That means prefer consequentialism – its best suited to prevent extinction since looking into the intrinsic nature of stuff will never be able to prevent catastrophic consequences that lead to extinction but looking at foreseen consequences can.

## 2

#### U.S dominance over biotech now BUT Misguided policy cedes control to China.

Gupta 6/11 [“As Washington Ties Pharma's Hands, China Is Leaping Ahead.”, Gaurav Gupta, Opinion | America Risks Ceding Its Biotech Dominance to China | Barron's, Barrons, 11 June 2021, [www.barrons.com/articles/as-washington-ties-pharmas-hands-china-is-leaping-ahead-51623438808](http://www.barrons.com/articles/as-washington-ties-pharmas-hands-china-is-leaping-ahead-51623438808)., Gaurav Gupta, a physician, is the founder of the biotechnology investment firm Ascendant BioCapital.]//Lex AKu

There should be no doubt that we are living at the dawn of a golden age of biomedical innovation. The American scientific engine that produced Covid-19 vaccines in record time was fueled by a convergence of advances in genomics, biomarkers, data science, and manufacturing years in the making. The first Food and Drug Administration approvals of a host of new product formats—oligonucleotide, bispecific, oncolytic virus, CAR-T, and lentivirus/AAV—all took place within the last decade. These represent an unprecedented expansion of the armamentarium that physicians have at their disposal to treat and cure disease. In the last few years, [47% of all new medicines](https://www.efpia.eu/media/554521/efpia_pharmafigures_2020_web.pdf) were invented by U.S. biopharma companies, with [homegrown startups](https://www.cbo.gov/publication/57126) driving the majority of innovation. The bulk of the remainder were developed by foreign companies specifically for the U.S. market. An indirect benefit of these trends is that most novel therapeutics undergo clinical development and early commercial launch here in the U.S. The rest of the world understands that the American patient has earlier and broader access to groundbreaking therapies via these mechanisms. Indeed, the past decade is filled with examples of medical “firsts” for American patients: the first cure for Hepatitis C, the first gene therapy for blindness, the first immunotherapy for cancer. Future rewards will be greater still if we preserve our current system of incentivizing and protecting The remarkable innovation capacity of our biopharmaceutical industry ought to be a source of national pride. Yet while “Made in America” is the global standard for medicines in development today, misguided policy risks ceding our scientific prowess to other countries in the future. This is particularly true in the case of China, where biotechnology has become a strategic pillar for the health of its people and economy. From 2016 to 2020, the market capitalization of all Chinese biopharma companies increased exponentially from [$1 billion to over $200 billion](https://www.bloomberg.com/news/articles/2021-03-01/xi-mobilizes-china-for-tech-revolution-to-cut-dependence-on-west). China saw over [$28 billion](https://www.bioworld.com/articles/506978-china-sees-five-year-highs-in-life-sciences-investments-and-partnering) invested in its life sciences sector in 2020, double the previous year’s amount. Returns on China’s investment are already arriving. The FDA approved a drug developed in China for the first time ever in 2019. While China’s innovation capacity currently remains behind America’s, my experiences as a biopharma professional make it clear they are doing everything they can to catch up and catch up fast. In fact, when I speak to Chinese biotechnology executives, they boast that they can run clinical trials faster than their U.S. counterparts. The danger of misguided policies that disincentivize pharmaceutical innovation in the U.S. is effectively driving that same innovation to China. If we close off the market in the U.S. at the same time that China is opening its market to innovative new products, then we will see companies choose to first launch impactful novel medicines in China, based on clinical trials conducted in China. Because the FDA rarely accepts data generated entirely outside the U.S., this relocation of research capacity will negatively affect Americans’ access to cutting-edge therapies. The biotechnology field is advancing rapidly. Promising technologies such as targeted protein degradation and gene editing are perhaps not far from being developed into impactful medicines, and the U.S. risks these technologies being mastered by Chinese companies.

#### The plan chills American biomed innovation, ceding control to China – also can’t solve future diseases

Paulsen 7/9 [ERIK PAULSEN: We can save the world with our vaccines — without surrendering our IP to China," Bakersfield Californian, [https://www.bakersfield.com/opinion/erik-paulsen-we-can-save-the-world-with-our-vaccines-without-surrendering-our-ip-to/article\_b0b87692-df61-11eb-9a13-d7fa02eefaee.html]//Lex](https://www.bakersfield.com/opinion/erik-paulsen-we-can-save-the-world-with-our-vaccines-without-surrendering-our-ip-to/article_b0b87692-df61-11eb-9a13-d7fa02eefaee.html%5d//Lex) AKu

The Biden administration gave Beijing a gift when it endorsed a petition before the World Trade Organization to force the American developers of Covid-19 vaccines and therapeutics to relinquish their intellectual property rights to these medicines. The Chinese government seeks to take over in biotech, a sector where U.S. innovators lead. Biotech is included in its “Made in China 2025” plan, which lists 10 sectors that China aims to dominate. The government intends to force anyone doing business in China in those spheres to hand over know-how. Surrendering IP protections on biomedical technology has dire consequences. Foremost, it guts the foundation of biomedical innovation, which takes huge investments spanning many years to bear fruit. IP protections assure innovators that they can recover those investments and make a profit. Losing IP protection would have a chilling effect on investments in the sector. Equally injurious to America, the IP waiver would allow China to become a biotech powerhouse by piggybacking on American innovation. A waiver on IP for Covid-19 vaccines would accelerate the timeline for “Made in China 2025**.**” The mRNA technology, which undergirds the Pfizer-BioNTech and Moderna vaccines has uses beyond this pandemic. It has the potential to take on cancers and other diseases. With the waiver, China and others will be emboldened to use the once-proprietary mRNA know-how for broader research and applications. Is this in America’s interest? Mark Cohen**,** an expert on Chinese IP theft**,** recentlytold the Washington Post that the waiver would deliver **“**a competitive advantage to countries that are increasingly viewed as our adversaries, at taxpayer expense.” Beyond the damage that an mRNA giveaway will inflict on US R&D investments, the waiver sends a signal that America could agree to force American innovators to part with trade secrets every time there’s a global crisis. That attitude will arrest biopharmaceutical innovation. Small biotech firms spearhead 70 percent of the R&D pipeline, relying heavily on private investors to fund that work. If investors know that innovators may have to give away their discoveries in a global crisis, they’ll deploy their money elsewhere. That’ll make it even harder to draw the R&D investments needed to address infectious diseases, including drug-resistant infections and viruses. America is benefitting greatly from the early access to COVID-19 treatments and vaccines, saving lives and speeding economic recovery. Preserving U.S. leadership in biomedical innovation includes preserving the incentives that helped make it the world’s leader. A final downside of the waiver is the ability for American firms to find a cure for the next pandemic. Among the greatest threats is bacteria resistant to our current arsenal of antibiotics that becomes a pandemic-inducing superbug. Already, the market for new antimicrobials is broken**.** Only a handful of biotechs have them in development, and many have gone bankrupt trying to commercialize one. “A lot of people have rightly said we need to start thinking about preparing for the next pandemic now,” noted Craig Garthwaite, a healthcare-business professor at Northwestern University. “Suspending IP for vaccine manufacturers would send exactly the wrong signal for the future.**”** For the sake of patients everywhere, American IP rights must stay protected. It’s the only way to keep China at bay and American innovators at work.

#### Biotech leadership key to future military primacy.

Moore 21 [(Scott Moore is a political scientist and administrator at the University of Pennsylvania and the author of a forthcoming book, “How China Shapes the Future,” on China’s role in public goods and emerging technologies.) 8-8-2021, "In Biotech, the Industry of the Future, the U.S. Is Way Ahead of China," Lawfare, https://www.lawfareblog.com/biotech-industry-future-us-way-ahead-china]//Lex AKu

A [continuing refrain](https://phys.org/news/2020-10-america-edge-peril.html) from Washington in recent years has been that the United States is falling behind China in the development of critical emerging technologies. In some fields, this may be true. But not in biotechnology. To be sure, China’s biotech sector is growing at a torrid pace, and some of its firms are becoming leaders in [certain areas](https://www.brookings.edu/wp-content/uploads/2020/04/FP_20200427_china_biotechnology_moore.pdf), such as cancer treatment. Yet the U.S. retains a dominant position in research, development and commercialization, accounting for [almost half](https://itif.org/publications/2018/03/26/how-ensure-americas-life-sciences-sector-remains-globally-competitive) of all biotech patents filed from 1999 to 2013. The triumph of its biotechnology industry during the coronavirus pandemic, producing two highly effective vaccines using an entirely new approach based on [messenger RNA](https://www.cdc.gov/coronavirus/2019-ncov/vaccines/different-vaccines/mrna.html), and in record time, shows that the U.S.’s competitive edge in biotechnology remains largely intact. And that has important implications as Washington gears up for a sustained period of geopolitical competition with Beijing. Biotech is such a critical area for technological competition between the U.S. and China because it is transforming fields from medicine to military power. The great advances of the 19th century, like chemical fertilizers, resulted from mastering chemistry. In the 20th century, mastery of physics led to nuclear energy—and, more ominously, nuclear weapons. In the 21st century, biology offers a similar mix of peril and promise. This was illustrated dramatically by the award of the 2020 Nobel Prize for the discovery of an enzyme system known as CRISPR-Cas9, which allows an organism’s genomes to be edited with high precision. It is a transformational breakthrough. But while CRISPR shows great promise in the development of [new cures](https://www.nature.com/articles/d41586-020-03476-x) for long-untreatable diseases, it could also lead to a whole new generation of [deadly bioweapons](https://foreignpolicy.com/2019/11/08/cloning-crispr-he-jiankui-china-biotech-boom-could-transform-lives-destroy-them/). That’s a prospect that increasingly alarms U.S. intelligence officials. In 2016, then-Director of National Intelligence James Clapper [warned Congress](https://www.technologyreview.com/s/600774/top-us-intelligence-official-calls-gene-editing-a-wmd-threat/) that “[r]esearch in genome editing conducted by countries with different regulatory or ethical standards than those of western countries probably increases the risk of the creation of potentially harmful biological agents or products.” Although Clapper didn’t name specific countries, it soon became clear that he was referring mainly to China. Four years later, his successor, John Ratcliffe, issued a far more [pointed warning](https://www.wsj.com/articles/china-is-national-security-threat-no-1-11607019599) that “China has even conducted human testing on members of the People’s Liberation Army in hope of developing soldiers with biologically enhanced capabilities. There are no ethical boundaries to Beijing’s pursuit of power.” Such capabilities are almost certainly only speculative—but they underscore why biotech leadership is so important for national security as well as economic competitiveness. Beijing has long envied the United States’s dominant position in biotechnology and spent heavily to overtake it. Biotech has been a priority sector for state investment since the 1980s, and by [one estimate](https://www.brookings.edu/wp-content/uploads/2020/04/FP_20200427_china_biotechnology_moore.pdf) Beijing had poured some $100 billion into the sector by 2018. Nowhere did it lavish more attention or invest more of its propaganda power than in developing a coronavirus vaccine. State media have spent months [crowing](https://www.globaltimes.cn/content/1190615.shtml) that “China is working around the clock for breakthroughs in COVID-19 vaccines.” Yet despite this push, China’s vaccine program quickly took on a Potemkin air. In February 2020, barely two months after the onset of the pandemic and after a supposedly crash vaccine effort, a military doctor stood in front of a Chinese flag to receive what was billed as an experimental vaccine dose but was widely suspected to be a [staged photo op](https://www.sciencemag.org/news/2020/11/global-push-covid-19-vaccines-china-aims-win-friends-and-cut-deals). Now, having [spent months](https://www.nytimes.com/2021/01/13/business/chinese-vaccine-brazil-sinovac.html) talking up its two primary vaccine candidates to developing countries like Brazil and Indonesia, both of which have entered into purchase agreements with Chinese biotech firms, Chinese officials face [severe mistrust](https://www.nytimes.com/2021/01/13/business/chinese-vaccine-brazil-sinovac.html) among their nation’s overseas partners. For China’s leaders, the disappointing returns on their big bet on biotechnology look likely to cause them more headaches at home as well as abroad—there are [already signs](https://www.sciencemag.org/news/2020/11/global-push-covid-19-vaccines-china-aims-win-friends-and-cut-deals) that affluent Chinese place more trust in foreign-developed coronavirus vaccines than the homegrown ones produced at such great expense. For U.S. officials, though, China’s relative underperformance in vaccine development presents an opportunity to reassert the United States’s leadership in biotechnology and public health and bolster the nation’s depleted soft power in the process. The Biden administration has already signaled it will reengage in multilateral bodies such as the World Health Organization. Yet the U.S. shouldn’t stop there. Washington should begin thinking now about how to emulate the success of the President’s Emergency Plan for AIDS Relief (PEPFAR)—which, though imperfect, is widely regarded as one of the most successful single public health interventions in history—to address growing disparities in access to coronavirus vaccines between countries. At the moment, vaccine supplies are controlled largely by rich countries, creating the risk of moral and public health failure if the gap persists. While COVID-19, the respiratory disease caused by the novel coronavirus, differs in many respects from AIDS, PEPFAR combined research, prevention, and access to therapeutics. Developing a comparable institutional structure to close the coronavirus vaccine access gap is the right thing to do—but it would also go a long way to restoring America’s battered global reputation. At the same time, the United States can’t afford to rest on its laurels in biotechnology, or any other field. Aside from China, other nations like Singapore and Israel have also invested heavily to develop their biotechnology sectors, with Israel in particular giving rise to a thriving biotech industry. U.S. public investment in basic scientific research and development has meanwhile [been on the decline](https://www.wsj.com/articles/how-the-u-s-surrendered-to-china-on-scientific-research-11555666200) for decades, and there are worrying signs that America’s once world-beating innovation ecosystem is less productive, and less entrepreneurial, than it once was. Despite strengths in translational research, moreover, the frontiers of biology increasingly sit at the [intersection with other disciplines](https://www.startus-insights.com/innovators-guide/biotech-innovation-map-reveals-emerging-technologies-startups/) like computer science, meaning that funding agencies, universities and other organizations need to break down disciplinary silos. Boosting support for biotechnology research, while reforming how that money is used, will go a long way toward shoring up the United States’s leading position in the global biotech sector. The U.S. biotechnology sector also faces other threats, not least growing espionage and intellectual property theft by foreign actors, especially those linked to China. Several high-profile cases brought by the U.S. Department of Justice’s China Initiative have involved biotechnology researchers, and American biotech firms have been [top targets](https://www.jdsupra.com/legalnews/chinese-and-russian-hackers-targeting-78355/) for cyber theft and intrusion. Sustained outreach to researchers and research institutions is critical to preventing such theft. But efforts to clamp down on the threats posed by espionage and intellectual property theft can easily go too far and must preserve the researcher mobility and data-sharing that is essential to doing cutting-edge science. Beyond its shores, the United States should work with its partners and allies to enhance export controls on dual-use biotechnology—used for both peaceful and military gain—especially DNA templates. Many forms of genetic material and synthetic biology products are [already subject](https://www.bis.doc.gov/index.php/documents/regulations-docs/2332-category-1-materials-chemicals-microorganisms-and-toxins-4/file) to U.S. export controls, but gaps remain, and screening for genetic sequence orders relies primarily on voluntary regulation by biotech firms. Better coordinating export controls among major economies and U.S. allies can dramatically reduce the risk of sophisticated bioweapons development in the decades to come.

#### Heg solves arms races, land grabs, rogue states, and great power war.

Brands 18 [Hal, Henry Kissinger Distinguished Professor at Johns Hopkins University's School of Advanced International Studies and a senior fellow at the Center for Strategic and Budgetary Assessments." American Grand Strategy in the Age of Trump." Page 129-133]

Since World War II, the United States has had a military second to none. Since the Cold War, America has committed to having overwhelming military primacy. The idea, as George W. Bush declared in 2002, that America must possess “strengths beyond challenge” has featured in every major U.S. strategy document for a quarter century; it has also been reflected in concrete terms.6 From the early 1990s, for example, the United States consistently accounted for around 35 to 45 percent of world defense spending and maintained peerless global power-projection capabilities.7 Perhaps more important, U.S. primacy was also unrivaled in key overseas strategic regions—Europe, East Asia, the Middle East. From thrashing Saddam Hussein’s million-man Iraqi military during Operation Desert Storm, to deploying—with impunity—two carrier strike groups off Taiwan during the China-Taiwan crisis of 1995– 96, Washington has been able to project military power superior to anything a regional rival could employ even on its own geopolitical doorstep. This military dominance has constituted the hard-power backbone of an ambitious global strategy. After the Cold War, U.S. policymakers committed to averting a return to the unstable multipolarity of earlier eras, and to perpetuating the more favorable unipolar order. They committed to building on the successes of the postwar era by further advancing liberal political values and an open international economy, and to suppressing international scourges such as rogue states, nuclear proliferation, and catastrophic terrorism. And because they recognized that military force remained the ultima ratio regum, they understood the centrality of military preponderance. Washington would need the military power necessary to underwrite worldwide alliance commitments. It would have to preserve substantial overmatch versus any potential great-power rival. It must be able to answer the sharpest challenges to the international system, such as Saddam’s invasion of Kuwait in 1990 or jihadist extremism after 9/11. Finally, because prevailing global norms generally reflect hard-power realities, America would need the superiority to assure that its own values remained ascendant. It was impolitic to say that U.S. strategy and the international order required “strengths beyond challenge,” but it was not at all inaccurate. American primacy, moreover, was eminently affordable. At the height of the Cold War, the United States spent over 12 percent of GDP on defense. Since the mid-1990s, the number has usually been between 3 and 4 percent.8 In a historically favorable international environment, Washington could enjoy primacy—and its geopolitical fruits—on the cheap. Yet U.S. strategy also heeded, at least until recently, the fact that there was a limit to how cheaply that primacy could be had. The American military did shrink significantly during the 1990s, but U.S. officials understood that if Washington cut back too far, its primacy would erode to a point where it ceased to deliver its geopolitical benefits. Alliances would lose credibility; the stability of key regions would be eroded; rivals would be emboldened; international crises would go unaddressed. American primacy was thus like a reasonably priced insurance policy. It required nontrivial expenditures, but protected against far costlier outcomes.9 Washington paid its insurance premiums for two decades after the Cold War. But more recently American primacy and strategic solvency have been imperiled. THE DARKENING HORIZON For most of the post–Cold War era, the international system was— by historical standards—remarkably benign. Dangers existed, and as the terrorist attacks of September 11, 2001, demonstrated, they could manifest with horrific effect. But for two decades after the Soviet collapse, the world was characterized by remarkably low levels of great-power competition, high levels of security in key theaters such as Europe and East Asia, and the comparative weakness of those “rogue” actors—Iran, Iraq, North Korea, al-Qaeda—who most aggressively challenged American power. During the 1990s, some observers even spoke of a “strategic pause,” the idea being that the end of the Cold War had afforded the United States a respite from normal levels of geopolitical danger and competition. Now, however, the strategic horizon is darkening, due to four factors. First, great-power military competition is back. The world’s two leading authoritarian powers—China and Russia—are seeking regional hegemony, contesting global norms such as nonaggression and freedom of navigation, and developing the military punch to underwrite these ambitions. Notwithstanding severe economic and demographic problems, Russia has conducted a major military modernization emphasizing nuclear weapons, high-end conventional capabilities, and rapid-deployment and special operations forces— and utilized many of these capabilities in conflicts in Ukraine and Syria.10 China, meanwhile, has carried out a buildup of historic proportions, with constant-dollar defense outlays rising from US$26 billion in 1995 to US$226 billion in 2016.11 Ominously, these expenditures have funded development of power-projection and antiaccess/area denial (A2/AD) tools necessary to threaten China’s neighbors and complicate U.S. intervention on their behalf. Washington has grown accustomed to having a generational military lead; Russian and Chinese modernization efforts are now creating a far more competitive environment. Second, the international outlaws are no longer so weak. North Korea’s conventional forces have atrophied, but it has amassed a growing nuclear arsenal and is developing an intercontinental delivery capability that will soon allow it to threaten not just America’s regional allies but also the continental United States.12 Iran remains a nuclear threshold state, one that continues to develop ballistic missiles and A2/AD capabilities while employing sectarian and proxy forces across the Middle East. The Islamic State, for its part, is headed for defeat, but has displayed military capabilities unprecedented for any terrorist group, and shown that counterterrorism will continue to place significant operational demands on U.S. forces whether in this context or in others. Rogue actors have long preoccupied American planners, but the rogues are now more capable than at any time in decades. Third, the democratization of technology has allowed more actors to contest American superiority in dangerous ways. The spread of antisatellite and cyberwarfare capabilities; the proliferation of man-portable air defense systems and ballistic missiles; the increasing availability of key elements of the precision-strike complex— these phenomena have had a military leveling effect by giving weaker actors capabilities which were formerly unique to technologically advanced states. As such technologies “proliferate worldwide,” Air Force Chief of Staff General David Goldfein commented in 2016, “the technology and capability gaps between America and our adversaries are closing dangerously fast.”13 Indeed, as these capabilities spread, fourth-generation systems (such as F-15s and F-16s) may provide decreasing utility against even non-great-power competitors, and far more fifth-generation capabilities may be needed to perpetuate American overmatch. Finally, the number of challenges has multiplied. During the 1990s and early 2000s, Washington faced rogue states and jihadist extremism—but not intense great-power rivalry. America faced conflicts in the Middle East—but East Asia and Europe were comparatively secure. Now, the old threats still exist—but the more permissive conditions have vanished. The United States confronts rogue states, lethal jihadist organizations, and great-power competition; there are severe challenges in all three Eurasian theaters. “I don’t recall a time when we have been confronted with a more diverse array of threats, whether it’s the nation state threats posed by Russia and China and particularly their substantial nuclear capabilities, or non-nation states of the likes of ISIL, Al Qaida, etc.,” Director of National Intelligence James Clapper commented in 2016. Trends in the strategic landscape constituted a veritable “litany of doom.”14 The United States thus faces not just more significant, but also more numerous, challenges to its military dominance than it has for at least a quarter century.

## 3

**The United States federal government should:**

**- substantially increase production and global distribution of the COVID-19 Vaccine, specifically providing all necessary vaccines to India and South Africa, and**

**- cooperate with allies to achieve increased production and global distribution of the COVID-19 Vaccine.**

**- reduce IP for all other medicines.**

**That comparatively solves better – IP rights don’t hinder vaccine cooperation, but manufacturing capacity is the current constraint.**

Hans **Sauer 6-17** [(Deputy General Counsel, Biotechnology Industry Organization.) “Web event — Confronting Joe Biden’s proposed TRIPS waiver for COVID-19 vaccines and treatments” <https://www.aei.org/wp-content/uploads/2021/06/210617-Confronting-Joe-Bidens-proposed-TRIPS-waiver.pdf?x91208&x91208>] TDI

But contrary to what Lori said, **there are genuine real problems in the supply chain** that are **not caused by patents**, that are simply caused by the unavailability and the constraints on existing capacity. There is in this world such a thing as maxed-out capacity that just can’t be increased on a dime. It’s not all due to intellectual property. This is true for existing vaccines as well as for vaccine raw materials. There are trade barriers. There are export restrictions that we should all be aware of and that we need to work on. And there are very real political, I think, interests in finding an explanation for how we got to this place that absolve governments around the world from their own policy decisions that they made in the past. In the United States, again, it was the declared policy of the previous administration, as well as this one, that we would vaccinate healthy college kids and go all down the line and offer a vaccine to everybody who wants it before we start sharing any with grandmothers in Burkina Faso. That was the policy. You can agree with it or disagree with it, but that was policy. We had export restrictions in place before a lot of other countries did. And that, too, contributed to unequal access of vaccines around the world. Another thing that was predictable was that politicians and governments around the world who want to be seen as proactive, on the ball, in control, for a long time were actually very indecisive, very unsure about how to address the COVID problem, which has so many dimensions. Vaccines are only one of those. But with respect to vaccines, not many governments took decisive action, put money on the table, put bets on multiple horses, before we knew whether these vaccines would work, would be approved. And it was governments in middle-income countries who now, I think, justifiably are concerned that they’re not getting fast enough access, who didn’t have the means and who didn’t have the decision-making structure to place the same bets on multiple horses, if you will, that were placed in the relatively more wealthy, global North and global West. But there is, I think, a really good and, with hindsight, predictable explanation of how we got to this place, and I think it teaches us something about how to fix the problem going forward. **So why will the waiver not work**? Well, first of all, with complex technology like vaccines, Lori touched on it, reverse engineering, like you would for a small molecule drug, is much more difficult if not impossible. But it depends very much more than small molecule drugs on cooperation, on voluntary transfer of technology, and on mutual assistance. We have seen as part of the pandemic response an unprecedented level of collaborations and cooperation and no indication that IP has stood in the way of the pandemic response. **The waiver proponents have found zero credible examples of where IP has actually been an obstacle,** where somebody has tried to block somebody else from developing a COVID vaccine or other COVID countermeasure, right? It’s not there. **Second, the myth of this vast global capacity to manufacture COVID vaccines that somehow exists** **out there is unsubstantiated** and frankly, in my opinion, untrue. But there is no such thing as vast untapped, idle capacity that could be turned around on a dime to start making COVID vaccines within weeks or even months. This capacity needs to be built; it needs to be established. And at a time when time is of the essence to beat this pandemic, starting capacity-building discussions is helpful, but it won’t be the answer to beat this pandemic. It will be the answer if we do everything right to beating the next pandemic. And if we learn any lesson of this, and then I will stop, is that the COVID waiver as well as the situation in which we find ourselves — if anything, it’s a reminder that we definitely have to take global capacity-building more seriously than we did in the past. That is true for the global North, as well as for middle-income countries — all of whom have to dedicate themselves much more determinedly to pandemic preparedness. And there’s a need to invest both in preparedness and in public health systems that hasn’t happened in the wake of past pandemic threats. This is what we will need to do. We will need to reduce export restrictions, and we will need to rededicate ourselves to preparing for the next pandemic. As far as this pandemic goes, **there are 11 vaccines around the world that are already being shot into arms, only four of which come from the global North. How many more vaccines do we want?** I don’t know, maybe 11 is enough if we start making more of them. But there are manufacturers around the world who know how to do this — including in China, including in India, and including in Russia. All developed their homegrown vaccines, apparently without interference by IP rights, right? **So let’s make more of those. I think that’s going to be the more practical and realistic answer to solving the problem**. And we need to lean on governments to stop export controls and to dedicate themselves to more global equity.

## Case

### Adv

**Environment resilient -- we don’t need to worry about it**

**Kareiva et al 12 –** Chief Scientist and Vice President, The Nature Conservancy(Peter, Michelle Marvier **--**professor and department chair of Environment Studies and Sciences at Santa Clara University, Robert Lalasz **--** director of science communications for The Nature Conservancy, Winter, “Conservation in the Anthropocene,” http://thebreakthrough.org/index.php/journal/past-issues/issue-2/conservation-in-the-anthropocene/)

2. As conservation became a global enterprise in the 1970s and 1980s, the movement's justification for saving nature shifted from spiritual and aesthetic values to focus on biodiversity. Nature was described as primeval, fragile, and at risk of collapse from too much human use and abuse. And indeed, there are consequences when humans convert landscapes for mining, logging, intensive agriculture, and urban development and when key species or ecosystems are lost.¶ But ecologists and conservationists have **grossly overstated** the fragility of nature, frequently arguing that once an ecosystem is altered, it is gone forever. Some ecologists suggest that if a single species is lost, a whole ecosystem will be in danger of collapse, and that if too much biodiversity is lost, spaceship Earth will start to come apart. Everything, from the expansion of agriculture to rainforest destruction to changing waterways, has been painted as a threat to the delicate inner-workings of our planetary ecosystem.¶ The fragility trope dates back, at least, to Rachel Carson, who wrote plaintively in Silent Spring of the delicate web of life and warned that perturbing the intricate balance of nature could have disastrous consequences.22 Al Gore made a similar argument in his 1992 book, Earth in the Balance.23 And the 2005 Millennium Ecosystem Assessment warned darkly that, while the expansion of agriculture and other forms of development have been overwhelmingly positive for the world's poor, ecosystem degradation was simultaneously putting systems in jeopardy of collapse.24¶ The trouble for conservation is that the data simply do not support the idea of a fragile nature at risk of collapse. Ecologists now know that the disappearance of one species does not necessarily lead to the extinction of any others, much less all others in the same ecosystem. In many circumstances, the demise of formerly abundant species can be **inconsequential** to ecosystem function. The American chestnut, once a dominant tree in eastern North America, has been extinguished by a foreign disease, yet the forest ecosystem is surprisingly unaffected. The passenger pigeon, once so abundant that its flocks darkened the sky, went extinct, along with countless other species from the Steller's sea cow to the dodo, with **no catastrophic or even measurable effects**.¶ These stories of **resilience are not isolated** examples -- a **thorough review of** the scientific literature identified **240 studies** of ecosystems following **major disturbances** such as deforestation, mining, oil spills, and other types of pollution. The abundance of plant and animal species as well as other measures of ecosystem function recovered, at least partially, in 173 **(72 percent) of** these **studies**.25¶ While global forest cover is continuing to decline, it is rising in the Northern Hemisphere, where "nature" is returning to former agricultural lands.26 Something similar is likely to occur in the Southern Hemisphere, after poor countries achieve a similar level of economic development. A 2010 report concluded that rainforests that have grown back over abandoned agricultural land had 40 to 70 percent of the species of the original forests.27 Even Indonesian orangutans, which were widely thought to be able to survive only in pristine forests, have been found in surprising numbers in oil palm plantations and degraded lands.28¶ Nature is so **resilient** that it can **recover rapidly** from even the **most powerful** human disturbances. Around the Chernobyl nuclear facility, which melted down in 1986, wildlife is thriving, despite the high levels of radiation.29 In the Bikini Atoll, the site of multiple nuclear bomb tests, including the 1954 hydrogen bomb test that boiled the water in the area, the number of coral species has actually increased relative to before the explosions.30 More recently, the massive 2010 oil spill in the Gulf of Mexico was degraded and consumed by bacteria at a remarkably fast rate.31¶ Today, coyotes roam downtown Chicago, and peregrine falcons astonish San Franciscans as they sweep down skyscraper canyons to pick off pigeons for their next meal. As we destroy habitats, we create new ones: in the southwestern United States a rare and federally listed salamander species seems specialized to live in cattle tanks -- to date, it has been found in no other habitat.32 Books have been written about the collapse of cod in the Georges Bank, yet recent trawl data show the biomass of cod has recovered to precollapse levels.33 It's doubtful that books will be written about this cod recovery since it does not play well to an audience somehow addicted to stories of collapse and environmental apocalypse.¶ Even that classic symbol of fragility -- the polar bear, seemingly stranded on a melting ice block -- may have a good chance of surviving global warming if the changing environment continues to increase the populations and northern ranges of harbor seals and harp seals. Polar bears evolved from brown bears 200,000 years ago during a cooling period in Earth's history, developing a highly specialized carnivorous diet focused on seals. Thus, the fate of polar bears depends on two opposing trends -- the decline of sea ice and the potential increase of energy-rich prey. The history of life on Earth is of species evolving to take advantage of new environments only to be at risk when the environment changes again.¶ The wilderness ideal presupposes that there are parts of the world untouched by humankind, but today it is impossible to find a place on Earth that is unmarked by human activity. The truth is humans have been impacting their natural environment for centuries. The wilderness so beloved by conservationists -- places "untrammeled by man"34 -- never existed, at least not in the last thousand years, and arguably even longer.

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### Framing

#### 1] Fails on actor specificity---you say that the government should foster character traits, however a government does not have character traits so you cannot prove a moral obligation for the government.

#### 2] Virtue is subjective---Greeks value pride while Christians value humility---any attempt to objectively justify a virtue begs the question of an alternative framework for judging virtues.

#### 3] No way to resolve dilemmas between virtues that conflict e.g. honesty vs compassion---means your framework’s unusable.

#### 4] You say virtues are important, but you don’t specify what the virtue is. My framework informs what proper orientation to the good should be. I say that you should be maximizing pleasure.

#### 5] Your framework devolves to util---pleasure is intuitively good and pain is bad so it’s what virtuous actors would follow.

#### 6] It’s impossible to know who has what virtue—terminal defense and disproves their framework.

**Louden 84** (Robert B. Louden 84 [I received my Undergraduate degree from the University of California, Santa Cruz, in 1975, and completed my Ph.D. at the University of Chicago in 1981 with a Dissertation entitled "The Elements of Ethics: Toward a Topography of the Moral Field." My areas of interest in philosophy are Ethical Theory, History of Ethics, and the history of Philosophy. I am a member of the American Philosophical Association, The North American Kant Society, and the American Society for 18th Century Studies. Before teaching at USM, I taught at Iowa State University, Indiana University Northwest, and at Barat College in Illinois. My favorite philosopher is Immanuel Kant], “On Some Vices of Virtue Ethics”, American Philosophical Quarterly, Vol. 21, No. 3 (Jul., 1984), pp. 227-236, BE)

There is also an epistemological issue which becomes troublesome when one focuses on qual- ities of persons rather than on qualities of acts. Baldly put, the difficulty is that we do not seem to be able to know with any degree of certainty who really is virtuous and who vicious. For how is one to go about establishing an agent’s true moral character? The standard strategy is what might be called the “externalist” one: we try to infer character by observing conduct. While not denying the exis- tence of some connection between character and conduct, I believe that the connection between the two is not nearly as tight as extemalists have assumed. The relationship is not a necessary one, but merely contingent. Virtue theorists themselves are committed to this claim, though they have not always realized it. For one central issue behind the “Being vs. Doing” debate is the virtue theorist’s contention that the moral value of Being is not reducible to or dependent on Doing; that the measure of an agent’s character is not exhausted by or even dependent on the values of the actions which he may perform. On this view, the most important moral traits are what may be called “spiritual” rather than “actional.”"¶ Perhaps the most famous example of a spiritual virtue would be Plato’s definition of justice (di- kaiosuné). Plato, it will be remembered, argued that attempts to characterize dikaiosuné in terms of an agent’s conduct are misguided and place the emphasis in the wrong place. Dikaiosuné for Plato is rather a matter of the correct harmonious relation- ship between the three parts of the soul: “It does not lie in a man’s external actions, but in the way he acts within himself (tén entos), really concerned with himself and his inner parts (peri eauton kai ta eautou)” (Rep. 443d). Other spiritual virtues would include such attitudes as self-respect andnintegrity. These are traits which do have a signifi- cant impact on what we do, but whose moral value is not wholly derivable from the actions to which they may give rise.¶ If there are such spiritual virtues, and if they rank among the most important of moral virtues, then the externalist strategy is in trouble. For those who accept spiritual virtues, the Inner is not reduc- ible to or dependent on the Outer. We cannot always know the moral value of a person’s character by assessing his or her actions**.¶ But** suppose we reject the externalist approach and take instead the allegedly direct internalist route. Suppose, that is, that we could literally “see inside” agents and somehow observe their character traits first-hand. (The easiest way to envision this is to assume that some sort of identity thesis with respect to moral psychology and neurophysiology is in principle correct. Lest the reader object that this is only a modern materialist’s silly pipe dream, I might add that at least one commentator has argued that Aristotle’s considered view was that the presence of the virtues and vices depends on modifications of the brain and nervous system; and that the relevant mental processes in ethics have accompanying bodily states.)l6 Here the goal will be to match specific virtues with specific chemicals, much in the manner that identity theorists have sought to match other types of mental events with other specific neurophysiological events. However, even on this materialistic reading of the internalist strategy, nothing could be settled about virtues by analyzing chemicals without first deciding who has what virtue. **For** we would first need to know who possessed and exhibited which virtue, and then look for specific physical traces in him that were missing in other agents. But as indicated earlier in my discussion of the externalist strategy, this is precisely what we don’t know. An analogy might be the attempt to determine which objects have which colors. Regardless of how much we know about the physical make-up of the objects in question, we must first make color judgments. However, at this point the analogy breaks down, for the epistemological problems involved in making color judgements are not nearly as troublesome as are those involved in making virtue judgments.l7**¶** To raise doubts about our ability to know who is virtuous is to bring skepticism into the center of virtue ethics, for it is to call into question our ability to identify the very object of our inquiry. This is not the same skepticism which has concerned recent writers such as Bernard Williams and Thomas Nagel, when they reflect on the fact that “the natural objects of moral assessment are disturbingly subject to luck.”'8 Theirs is more a skepticism about morality, while mine is a skepticism within morality. The sort of skepticism to which I am drawing attention occurs after one has convinced oneself that there are genuine moral agents who really do things rather than have things happen to them. As such, my skepticism is narrower but also more morality- specific: it concerns not so much queries about causality and free will as doubts about our ability to know the motives of our own behavior. As Kant wrote, “the real morality of actions, their merit or guilt, even that of our own conduct,. . .remains entirely hidden from us.”‘° Aquinas too subscribed to a similar skepticism: “Man is not competent to judge of interior movements, that are hidden, but only of exterior acts which are observable; and yet for the perfection of virtue it is necessary for man to conduct himself rightly in both kinds of acts.”20

#### 7] Cultural differences disprove the possibility of a normative virtue ethics.

**Prinz 9** (Jesse Prinz 9 [Distinguished Professor of philosophy and director of the Committee for Interdisciplinary Science Studies at the City University of New York, Graduate Center] “The Normativity Challenge: Cultural Psychology Provides the Real Threat to Virtue Ethics”, The Journal of Ethics, Vol. 13, No. 2/3, Virtue Ethics and Moral Psychology: The Situationism Debate (2009), pp. 117-144, BE)

This is a feasible empirical project, and indeed there has been a huge effort in recent psychology to identify the factors that contribute to well-being. That effort has been successful insofar as factors have been identified, but the results offer little comfort to the virtue theorist. The problem is that different factors emerge for different people, and there are well-documented cultural differences in which factors matter (for philosophical discussions of this literature, see Tiberius 2003). One of the most extensively investigated variables of cultural difference is the contrast between individualism and collectivism. As noted above, people in the West tend to be individualists, and people in the Far East tend to be collectivists. It turns out that this cultural difference has a very significant impact on conceptions of well-being. In the West, self-esteem is very important to well-being and in the East it is less important or, in some studies, totally unimportant; for example, for American women, there is a 0.60 correlation between life satisfaction and self- esteem, but for Indian women, the correlation is 0.08, which is not statistically significant (Diener and Diener 1995). In the West, personal enjoyment is important to well-being, and in the East it is more important to please others (Diener et al. 2003). In the West, well-being is largely a function of one’s present state, and in the East well-being is correlated with working towards future goals (Asakawa and Csikszentmihalyi 1998). In the West, well-being is associated with certain emotions, and in the East it is more associated with the fulfillment of obligations (Suh et al. 1998). And significantly, in the West, well-being is correlated with perceived consistency of identity, but such consistency is less important to people in the East (Suh 2002). These five contrasts are probably the tip of the iceberg. There is likely to be considerable cultural variation in the conditions of life satisfaction. For example, Nussbaum (2000) mentions that members of some cultures may find exposure to the natural environment more important than others. There will also be individual differences in the value placed on solitude versus social interaction, physical versus intellectual activity, and the importance of various pleasures such as sex, art, and novelty.¶ This variation has serious implications for virtue ethics. Virtue ethicists have traditionally assumed that there is a universal set of virtues; indeed many virtue ethicists try to list them. And**,** they assume that these virtues are universal precisely because they are all part of a universal human nature. But that supposition is untenable. What leads to fulfillment in life is neither universal nor entirely natural. Culture can shape our conception of the good life. The virtues that facilitate well-being in the West (if any list can be given) will not be exactly the same as the virtues that facilitate well-being in the East. For example, Aristotle includes pride, ambition, and wit among the virtues. These strike me as particularly Western. Perhaps one could define them so vaguely and abstractly as to obtain traits that most people would regard as worthwhile, but, in so doing, one would render them vacuous. The kind of ambition valued in the East may differ substantively from the kind that is valued in the West. Indeed, I would venture that the kind of ambition, pride, and wit valued in Aristotle's culture differ from the traits that come to mind when we read these English translations of his Greek terms. Scholars work hard to render Aristotle’s list in contemporary English, but they are thwarted by nuances of meaning that may be forever lost to history.¶ When we look to the history of philosophy, we see authors in different traditions offering lists of virtues that differ from Aristotle’s. Roman virtue ethicists promoted virtus, a kind of military valor, associated with courage in the face of death. This made sense in an imperialist society that needed to constantly secure its borders. For Christian virtue ethicists, like Augustine, chastity was added to the list of virtues. The church promoted a conception of well-being linked to faith and directed away from carnal pleasures. For us, the good life might involve recreational sex, but, for the medieval Christian, this may have been a source of guilt and shame. Arguably, the Christian attitude toward sex was culturally constructed to reduce family sizes, which increased the relative power of the church (Goody 1983). For Confucius, who also defended a version of virtue ethics, the most important trait was filial piety: a deep respect for family, which is still prevalent in Chinese culture. Then as now, people in China seem to have found well-being in interpersonal relationships. Those relationships are markedly underrepresented in Western lists of virtues.¶ One might go so far as to argue that virtue theory is itself a byproduct of certain historically constructed conceptions of well-being. The idea that virtues are necessary for (or even conducive to) flourishing may derive from the Western tendency to value consistent identity over time. As remarked above, members of Eastern cultures do not place equal value on identity. In the East, welLbeing is not necessarily attained by the exercise of enduring character traits but may instead benefit from (or even require) a kind of fluidity of character that would diminish from well-being in the West. Perhaps Aristotelians believe that virtues are normatively grounded because they belong to cultures that inculcate the idea that we need to be virtuous to thrive. For us, virtues may be essential to a maximally fulfilling life, but we cannot presume that this is true everywhere. Virtue ethics has been less prevalent in the East, where well-being does not presuppose personal consistency. Confucius is an exception, but his version of virtue theory differs in a crucial respect from its Western counterparts. Filial piety can be construed as a pattern of interpersonal connectedness, and as such it actually diminishes the extent to which its possessor can be analyzed as a self-propelled or autonomous entity. To be virtuous for Confucius is to have traits that render trait-based explanations of behavior inadequate on their own. It is interesting to compare this to some Indian conceptions of Nirvana, according to which transcendence comes from the elimination of self. Nirvana may be the height of well-being, but it is not one for which cultivation of traits would be appropriate. Likewise for Confucius, traits maybe a ladder that can be kicked away after fluid interconnectedness is achieved. Westerners coming out of the Hellenistic tradition may have special claim on the view that traits are purely internal dispositions that should be the main aim of morality and the main ingredients of well-being. In the West, having certain consistent internal traits may be constitutive of well-being, whereas in the East, traits are more likely to be construed as means to forms of well-being that are fundamentally relational.

### Offense

#### 1] IP is a reflection of our will and a form of property.

Merges 11 [Merges, Robert P. "Will and Object in the World of IP." Justifying Intellectual Property, Cambridge, Harvard UP, 2011, pp. 76-78. ISBN: 0674049489,9780674049482. Found on Libgen.] //Lex VM

It is clear enough at this point that Kant thought reliable expectations about ongoing possession of objects enables something positive to take place. Stable possession permits the imprinting of some aspect of a person, what Kant called his will, onto objects so as to enable the person to more fully flourish. Though nuances abound, Kant’s basic idea regarding the will24 is simple enough: Will is that aspect of a person which decides to, and wants to, act on the world.25 It has three distinctive qualities: it is personal, autonomous, and active. It is highly individual, a function of each person’s preferences and desires; Lewis White Beck says that will is “bent upon the satisfaction of some arbitrary purpose.” It is this aspect or feature of ourselves that we imprint or stamp on the world through our choices and the resulting actions that carry out or manifest these choices. Right here, in this foundational element, we see a radically individualistic and autonomous view of humans. Although this is balanced by a universalizing, transpersonal sense of reason in other parts of his philosophy,26 a highly individual will is nonetheless central to Kant’s view of human thought and action, and thus an essential aspect of what he thought it means to be human.27 will and object in the world of ip. It is tempting to get caught up in the terminology and conceptual complexity of Kant’s ideas of persons, will, and objects. To prevent that happening, it seems wise at this point to talk about some specific examples. How exactly does Kantian autonomy work? What does it look like in the context of IP rights? After we have a better grasp of these ideas, and of how they relate to Kant’s rationale for property, we can turn to an equally important topic: the limits on individual autonomy that Kant built into his theory. Our earlier example of Michelangelo showed how stable possession is required for a creator to fully work his will on a found object— in that case, a block of marble. The same basic logic applies in all sorts of cases. Individual farmers and landowners generate and then bring to life a vision for the lands they work on;28 inventors transform off- the- shelf materials into prototypes, rough designs, and finished products; and artists work in media such as paint and canvas, paper and pen, textiles and wood, keyboard and iPad, and so on, to give life to a concept or mental image. Wherever personal skill and judgment are brought to bear on things that people inherit or find, we see evidence of the Kantian process of will imprinting itself on objects. It even happens when the objects at hand are themselves intangible. A composer working out a new instance of a traditional form— a fugue or symphony, blues song or tone poem— is working on found objects just as surely as the farmer or inventor. Even in our earlier example, some of the objects that Michelangelo works on in the course of carving his sculpture are intangible: received conventions about how to depict an emotion; traditional groupings of figures in a religious set piece, such as the Pieta; or accepted norms about how to depict athletic grace or youthful energy. He may take these pieces of the cultural tableau and refine them, or he may subtly resist or transform them. However he handles them, these conventions are just as much objects in his hands as the marble itself.29 As with found physical objects, extended possession of these objects- intransformation is required to fully apply the creator’s skill and judgment. And because of this, Kantian property rights come into play with intangible objects as well. Let me say a word about this complex, and perhaps controversial, possession of intangible objects. It has often been argued that this feature of IP, the control of copies of an intangible work, constitutes a form of “artificial scarcity,”30 that it runs counter to an ethically superior regime where information is shared freely— and is maybe even counter to the nature of information, which, some say, “wants to be free.”31 According to Kant, all property rights have this element of artifice, because they define a conceptual type of possession. Property is not just a matter of physical contact between person and object; it describes a relationship that is deeper and goes well beyond the basic acts of grasping and holding. I can hear one objection to this right away. Yes, Kant speaks of legal ownership as a special relation between a person and an object. But, the objection might run, in his writings he refers only to physical objects, for example, an apple (à la Locke). So maybe the ownership relation is limited to that sort of thing? No. I give no weight to the fact that Kant uses only examples of tangible, physical property in most of the sections of the Doctrine of Right (DOR).32 Kant describes an additional type of possession that makes it crystal clear that the idea is not in any way limited to physical things—the expectation of future performance under a contract. He posits that one could not properly be said to “possess” a right to performance under an executory contract (one that has been signed or agreed to, but not yet performed) unless “I can maintain that I would have possession . . . even if the time of the performance is yet to come.”33 With that legal relation established, however, “[t]he promise of the [promisor] accordingly belongs among my worldly goods . . . , and I can include it under what is mine.”34 The synonymous use of “possession,” “object,” “belonging,” and “mine” in the case of a tangible, physical thing such as an apple and an intangible thing such as a promise of future contractual performance is too clear to require much comment. “Object” is very abstract for Kant, and can of course therefore include IPRs.35

#### IPR is well established under iLaw – it overwhelmingly negates.

Osei-Tutu 17 [Bracketed for G-Lang. Julia Janewa Osei-Tutu (she is the current Editor in Chief of the African Journal of Legal Studies, and one of the founding directors of the Center for International Law and Policy in Africa, Ghanaian-Canadian, Associate Professor of Law @ Florida International University, LL.M. from McGill University, J.D. from Queen’s University, B.A. from the University of Toronto. “Humanizing Intellectual Property: Moving Beyond the Natural Rights Property Focus”. Florida International University College of Law. 2017. Accessed 8/24/21. <https://ecollections.law.fiu.edu/cgi/viewcontent.cgi?article=1353&context=faculty_publications> //Xu]

There is an international human rights basis for claiming IP protection as a human right. 92 Both the Universal Declaration of Human Rights (UDHR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) contain language that is suggestive of copyright and patent protection.93 Furthermore, European jurisprudence has recognized trademark and copyright property interests as human rights under the European Convention on Human Rights. 94 The UDHR is an important instrument because, although it is not a binding treaty, it is largely considered customary international law.9 5 Its status as customary international law means that it is part of the accepted law of nations.96 Article 27(2) of the UDHR states: "Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author." 97 Similar language is found in Article 15(1)(c) of the ICESCR, which also provides for the protection of material and moral interests.98 Arguably, Article 27 of the UDHR and Article 15 of the ICESCR acknowledge a human right to IP.99 In particular, copyright and patents seem to intersect with the human rights enunciated both in the UDHR and in the ICESCR. 100 Copyright protects literary and artistic works, while patents protect new, useful, and inventive products or processes. 101 The right to the protection of moral and material interests resulting from any scientific production of which one is the author is less clearly related to patents, trademarks, or copyrights than the rights related to literary and artistic works. 102 This is because a scientific production may not be the same thing as a new, useful, and non-obvious invention. However, the language of these human rights provisions has been interpreted as overlapping with patent protection as well. 103 The UDHR also recognizes property rights. 104 To the extent that patents, trademarks, copyrights, and other intangible rights are considered property, this provides an additional basis for claiming a human right to IP.105 The natural rights property-based IP model more closely aligns with the notion of an absolute right to property. 106 It is important to note, however, that property as a human right is not universally accepted.107

#### Two impacts –

#### A] community

#### B] promise breaking

#### 3] Reducing protections of IP leads to theft and the free riding of ideas.

Van Dyke 18 [Raymond Van Dyke, Technology and Intellectual Property Attorney and Patent Practitioner, 7-17-2018, accessed on 8-8-2021, IPWatchdog, "The Categorical Imperative for Innovation and Patenting", https://www.ipwatchdog.com/2018/07/17/categorical-imperative-innovation-patenting/id=99178/] //D.Ying recut Lex VM

As we shall see, applying Kantian logic entails first acknowledging some basic principles; that the people have a right to express themselves, that that expression (the fruits of their labor) has value and is theirs (unless consent is given otherwise), and that government is obligated to protect people and their property. Thus, an inventor or creator has a right in their own creation, which cannot be taken from them without their consent. So, employing this canon, a proposed Categorical Imperative (CI) is the following Statement: creators should be protected against the unlawful taking of their creation by others. Applying this Statement to everyone, i.e., does the Statement hold water if everyone does this, leads to a yes determination. Whether a child, a book or a prototype, creations of all sorts should be protected, and this CI stands. This result also dovetails with the purpose of government: to protect the people and their possessions by providing laws to that effect, whether for the protection of tangible or intangible things. However, a contrary proposal can be postulated: everyone should be able to use the creations of another without charge. Can this Statement rise to the level of a CI? This proposal, upon analysis would also lead to chaos. Hollywood, for example, unable to protect their films, television shows or any content, would either be out of business or have robust encryption and other trade secret protections, which would seriously undermine content distribution and consumer enjoyment. Likewise, inventors, unable to license or sell their innovations or make any money to cover R&D, would not bother to invent or also resort to strong trade secret. Why even create? This approach thus undermines and greatly hinders the distribution of ideas in a free society, which is contrary to the paradigm of the U.S. patent and copyright systems, which promotes dissemination. By allowing freeriding, innovation and creativity would be thwarted (or at least not encouraged) and trade secret protection would become the mainstay for society with the heightened distrust. Also, allowing the free taking of ideas, content and valuable data, i.e., the fruits of individual intellectual endeavor, would disrupt capitalism in a radical way. The resulting more secretive approach in support of the above free-riding Statement would be akin to a Communist environment where the State owned everything and the citizen owned nothing, i.e., the people “consented” to this. It is, accordingly, manifestly clear that no reasonable and supportable Categorical Imperative can be made for the unwarranted theft of property, whether tangible or intangible, apart from legitimate exigencies. On the positive front, there is a Categorical Imperative that creators should be encouraged to create, which is imminently reasonable and supportable. Likewise, the statement set forth in the Constitution that Congress should pass laws “To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries” is supportive, as a Categorical Imperative, for the many reasons elucidated two centuries ago by Madison and others, and endorsed by George Washington, Thomas Jefferson, and later by Abraham Lincoln. A Categorical Imperative, universality, however, may be a stretch outside of the United States since other cultures may not treasure the progress of science and the useful arts and freedoms that we Americans do. Nonetheless, it is certainly a supportable proposition in the United States, and even a Categorical Imperative that we must do it!

# 2NR

## Util

## Shell

Counterinterp

## Cp

## DA

## Aff