## Off

### 1NC – 1

#### Capitalism is a system engendering massive violence and inevitable extinction – the foundational task is to find a way out – the Role of the Ballot is to endorse the best organizational tactics.

Badiou ‘18

[Alain, former chair of philosophy at the Ecole Normale Superiure, professor of philosophy at The European Graduate School. Translated by David Broder. 07/30/2018. “The Neolithic, Capitalism, and Communism,” <https://www.versobooks.com/blogs/3948-the-neolithic-capitalism-and-communism>] pat

Today, it has become commonplace to predict the end of the human race such as we know it. There are various reasons for such forecasts. According to a messianic kind of environmentalism, the excessive predations of a beastly humanity will soon bring about the end of life on Earth. Meanwhile, those who instead point to runaway technological advances prophesy, indiscriminately, the automation of all work by robots, grand developments in computing, automatically-generated art, plastic-coated killers, and the dangers of a super-human intelligence.

Suddenly, we see the emergence of threatening categories like transhumanism and the post-human — or, their mirror image, a return to our animal state — depending on whether one prophesies on the basis of technological innovation or laments all the attacks on Mother Nature.

For me, all such prophesies are just so much ideological noise, intended to obscure the real peril that humanity is today exposed to: that is to say, the impasse that globalised capitalism is leading us into. In fact, it is this form of society — and it alone — which permits the destructive exploitation of natural resources, precisely because it connects this exploitation to the boundless quest for private profit. The fact that so many species are endangered, that climate change cannot be controlled, that water is becoming like some rare treasure, is all a by-product of the merciless competition among billionaire predators. There is no other reason for the fact that scientific innovation is subject to the question of what technologies can sell, in an anarchic selection mechanism.

Environmentalist preaching does sometimes use persuasive descriptions of what is going on — despite the exaggerations typical of the prophet. But most of the time this becomes mere propaganda, useful for those states who want to show their friendly face. Just as it is for the multinationals who would have us believe — to the greater benefit of their balance sheets — in the noble, fraternal, natural purity of the commodities they are trafficking.

The fetishism of technology, and the unbroken series of "revolutions" in this domain — of which the "digital revolution" is the most in vogue — has constantly spread the beliefs both that this will take us to the paradise of a world without work — with robots to serve us, and us left to idle — and then, on the other hand, that digital "thought" will crush the human intellect. Today there is not one magazine that does not inform its astonished readers of the imminent "victory" of artificial over natural intelligence. But in most cases neither "nature" nor the "artificial" are properly or clearly defined.

Since the origins of philosophy, the question of the real scope of the word "nature" has been constantly posed. "Nature" could mean the romantic reverie of evening sunsets, the atomic materialism of Lucretius (De natura rerum), the inner being of things, Spinoza’s Totality (Deus sive Natura), the objective underside of all culture, rural and peasant surroundings as counterposed to the suspicious artificiality of the towns ("the earth does not lie," as Marshal Pétain put it), biology as distinct from physics, cosmology as compared to the tiny location that is our planet, the invariance of centuries as compared to the frenzy of innovation, natural sexuality as compared to perversion… I am afraid that today "nature" most of all refers to the calm of the villa and the garden, the charm wild animals have for tourists, and the beach or the mountains where we can spend a nice summer. Who, then, can imagine man responsible for nature, when thus far he has just been a thinking flea on a secondary planet in an average solar system at the edge of one banal galaxy?

Since its origins philosophy has also devoted a great deal of thought to Technology, or the Arts. The Greeks meditated on the dialectic of Techne and Physis — a dialectic within which they situated the human animal. They laid the ground for this animal to be seen as "a reed, the weakest of nature, but … a thinking reed." For Pascal, this meant that humanity was stronger than Nature and closer to God. A long time ago, they saw that the animal capable of mathematics would do great things to the order of materiality.

Are these "robots" which they keep banging on about anything more than calculation in the form of a machine? Digits in motion? We know that they can count quicker than us, but it was we who invented them, precisely in order to fulfil this task. It would be stupid to look at a crane raising a concrete pillar up to some great height, use this to argue that man is incapable of the same feat, and then conclude by saying that some muscular, superhuman giant has emerged… Lightning-quick counting is not the sign of an insuperable "intelligence" either. Technological transhumanism plays the same old tune — an inexhaustible theme of horror and sci-fi movies — of the creator overwhelmed by his own creation. It does so either thrilled about the advent of the superman — something we have been expecting ever since Nietzsche — or fearing him and taking refuge under the skirt of Gaia, Mother Nature.

Let’s put things in a bit more perspective.

For four or five millennia, humanity has been organised by the triad of private property — which concentrates enormous wealth in the hands of very narrow oligarchies; the family, in which fortunes are transmitted via inheritance; and the state, which protects both property and the family by armed force. This triad defined our species’ Neolithic age, and we are still at this point — we could even say, now more than ever. Capitalism is the contemporary form of the Neolithic. Its enslavement of technology in the interests of competition, profit and concentrating capital only raises to their fullest extension the monstrous inequalities, the social absurdities, the murderous wars, and the damaging ideologies that have always accompanied the deployment of new technology under the reign of class hierarchy throughout history.

We should be clear that technological inventions were the preliminary conditions of the arrival of the Neolithic age, and by no means its result. If we consider our species’ fate, we see that sedentary agriculture, the domestication of cattle and horses, pottery, bronze, metallic weapons, writing, nationalities, monumental architecture, and the monotheist religions are inventions at least as important as the airplane or the smartphone. Throughout history, whatever has been human has always, by definition, been artificial. If that had not existed, there would not have been Neolithic humanity — the humanity we know — but a permanent close proximity with animal life; something which did indeed exist, in the form of small nomadic groups, for around 200,000 years.

A fearful and obscurantist primitivism has its roots in the fallacious concept of "primitive communism." Today we can see this cult of the ancient societies in which babies, men, women and the elderly supposedly lived in fraternity, without anything artificial, and indeed lived in common with the mice, the frogs, and the bears. Ultimately, all this is nothing but ridiculous reactionary propaganda. For everything suggests that the societies in question were extremely violent. After all, even their most basic survival needs were constantly under threat.

To speak fearfully of the victory of the artificial over the nature, of robot over man, is today an untenable regression, something truly absurd. It is easy enough to answer such fears, such prophesies. For judged by this standard, even a simple axe, or a domesticated horse, not to mention a papyrus covered in symbols, is an exemplary case of the post- or trans-human. Even an abacus allows quicker calculation than the fingers of the human hand.

Today we need neither a return to primitivism, or fear of the "ravages" the advent of technology might bring. Nor is there any use in morbid fascination for the science-fiction of all-conquering robots. The urgent task we face is the methodical search for a way out of the Neolithic order. This latter has lasted for millennia, valuing only competition and hierarchy and tolerating the poverty of billions of human beings. It must be surpassed at all cost. Except, that is, the cost of the high-tech wars so well known to the Neolithic age, in the lineage of the wars of 1914-1918 and 1939-1945, with their tens of millions of dead. And this time it could be a lot more.

The problem is not technology, or nature. The problem is how to organise societies at a global scale. We need to posit that a non-Neolithic way of organising society is possible. This means no private ownership of that which ought to be held in common, namely the production of all the necessities of human life. It means no inherited power or concentration of wealth. No separate state to protect oligarchies. No hierarchical division of labour. No nations, and no closed and hostile identities. A collective organisation of everything that is in the collective interest.

All this has a name, indeed a fine one: communism. Capitalism is but the final phase of the restrictions that the Neolithic form of society has imposed on human life. It is the final stage of the Neolithic. Humanity, that fine animal, must make one last push to break out of a condition in which 5,000 years of inventions served a handful of people. For almost two centuries — since Marx, anyway — we have known that we have to begin the new age. An age of technologies incredible for all of us, of tasks distributed equally among all of us, of the sharing of everything, and education that affirms the genius of all. May this new communism everywhere and on every question stand up against the morbid survival of capitalism. This capitalism, this seeming "modernity," represents a Neolithic world that has in fact been going on for five millennia. And that means that it is old — far too old.

#### TRIPS/compulsory licensing is a neoliberal ploy to both legitimize the WTO as a governing apparatus while covertly authorizing economic retaliation against nations who invoke it.

Ferrer ‘19

[Cory, MFA Candidate, University of Colorado Department of Communication. 2019. “THE RHETORIC OF “BALANCE”: NEOCOLONIALISM AND RESISTANCE IN THE GLOBAL BATTLE FOR GENERIC DRUGS,” www.proquest.com/openview/5cbb5aa35aec157b3cdf8b03d5d269b7/1?pq-origsite=gscholar&cbl=18750&diss=y] Harun + pat

Recall also, that compulsory licensing is only a limited solution to the problem of accessing patented drugs in poorer countries. As the Doha Declaration explains: “We recognize that WTO Members with insufficient or no manufacturing capacities in the pharmaceutical sector could face difficulties in making effective use of compulsory licensing under the TRIPS Agreement” (2). As long as a country doesn’t have the means to produce the drugs, there is no one to whom the government could issue a compulsory license. So long as TRIPS restricts patented medicines from crossing international borders, compulsory licenses fall far short of addressing the need for patented medicines in countries that have little or no manufacturing capacity. In what is possibly the most depressing sentence of the Doha Declaration, the document goes on to offer, not a solution, but an instruction to the TRIPS Council to “find an expeditious solution to this problem and to report to the General Council before the end of 2002” (2). In other words, these negotiations were not able reach a compromise, and so they simply left this for future negotiations.

Also conspicuously absent from the Doha Ministerial declaration is any language addressing the rights of countries who take advantage of these flexibilities and remain free from bilateral pressure for doing so. While one could easily argue that if the US chooses to impose sanctions on a country of their own accord, rather than initiate dispute proceedings through the WTO, then this doesn’t necessarily concern the TRIPS agreement. However, given WTO secretary general Mike Moore’s stated concern with countries “feeling secure” in taking advantage of these flexibilities, and given that the issue of “bilateral pressure” was raised as an obstacle to this security during the TRIPS Council negotiations, the absence of any language addressing this issue appears to be a hard concession to the interests of the US and its allies, allowing them to continue holding the threat of economic sanctions over any nation that takes advantage of the flexibilities granted by this declaration (Moore; “Governments”).

Overall, the Doha declaration makes some significant concessions to the demands of the Global South’s coalition yet stops well short of fully authorizing WTO Members to take full advantage of all public health policies that would put affordable medicines into the hands of their people. The declaration recognizes that it falls short and puts a pin in the issue until the next negotiation, having failed to create a suitable compromise between nations who profit from IP protection and nations who suffer from it. The results of these later negotiations will be discussed in the conclusion to this thesis. Ultimately, the Doha Declaration—and WTO policy in general—are constrained by the demand for a standard of consensus which leaves ultimate veto power in the hands of powerful nations profiting at the others’ expense.

‌Conclusion: What does “Balance” Do?

In the context of the Doha round of negotiations, we see “balance” invoked towards several different ends. The TRIPS agreement invokes “balance” as a form of strategic ambiguity, attempting to please multiple stakeholders by allowing competing interpretations of the same international law to clear the procedural hurdles of consensus. The WTO officers and the EU’s position paper invoked “balance” to build legitimacy for the TRIPS agreement, the deliberative process that produced it, and by extension, the global patent system itself. If the TRIPS agreement strikes a carefully negotiated balance between health and IP protection, then the current balance is presumed sufficient. The paper submitted by the US and its allies invoked “balance” only as a description of strong and effective IP enforcement, a passing nod to balance that ultimately served to build the moral credibility of their strong IP enforcement agenda. For the coalition of the Global South, balance means mutual advantage, but one that must be demonstrated. Their position did not presume the benefit of IP to public health outcomes and argued that when IP protection conflicted with public health outcomes, governments have a standing right to choose public health.

Balance is therefore a deeply contested signifier: both a site of neo-colonial domination, and a site of counter-colonial resistance. However, all these conceptions of balance have one thing in common. They all, in some way, reinforce the legitimacy of the TRIPS agreement and the WTO as a governing institution of the global economy. Though the DCGP openly challenged Western Hegemony of these forums, it did so by drawing on specific provisions of the TRIPS agreement and claiming a position as an authoritative interpreter of international law to which Western nations are (on paper) equally beholden. Instead of challenging the legitimacy of the WTO and TRIPS agreements, the governments of the Global South are claiming that legitimacy for themselves in a counter-colonial push to assert themselves as equal governors and rightsholder of the neo-liberal world order. Though “balance” is typically invoked as a resolution to conflict, it is in fact the very site of that conflict it’s supposed to resolve.

#### Ethical abstraction erases the material basis of exploitation and experience as foundational to human social production – you should understand humanity as a historical agent instead.

Eagleton ‘11

[Terry, British literary theorist, critic, and public intellectual, prof of English literature at Lancaster. 2011. “Why Marx Was Right.”] pat – ask me for the PDF

In a boldly innovative move, Marx rejected the passive human subject of middle-class materialism and put in its place an active one. All philosophy had to start from the premise that whatever else they were, men and women were first of all agents. They were creatures who transformed themselves in the act of transforming their material surroundings. They were not the pawns of History or Matter or Spirit, but active, self-determining beings who were capable of making their own history. And this means that the Marxist version of materialism is a democratic one, in contrast to the intellectual elitism of the Enlightenment. Only through the collective practical activity of the majority of people can the ideas which govern our lives be really changed. And this is because these ideas are deeply embedded in our actual behavior.

In this sense, Marx was more of an antiphilosopher than a philosopher. In fact, Etienne Balibar has called him ‘‘perhaps . . . the greatest antiphilosopher of the modern age.’ Antiphilosophers are those who are wary of philosophy—not just in the sense that Brad Pitt might be, but nervous of it for philosophically interesting reasons. They tend to come up with ideas that are suspicious of ideas; and though they are for the most part entirely rational, they tend not to believe that reason is what it all comes down to. Feuerbach, from whom Marx learned some of his materialism, wrote that any authentic philosophy has to begin with its opposite, nonphilosophy. The philosopher, he remarked, must accept ‘‘what in man does not philosophise, what is rather opposed to philosophy and abstract thought.’ He also commented that ‘‘it is man [the human] who thinks, not the Ego or Reason.’ As Alfred Schmidt observes, ‘‘The understanding of man as a needy, sensuous, physiological being is therefore the precondition of any theory of subjectivity.’’ Human consciousness, in other words, is corporeal—which is not to say that it is nothing more than the body. It is rather a sign of the way in which the body is always in a sense unfinished, open-ended, always capable of more creative activity than what it may be manifesting right now.

We think as we do, then, because of the kind of animals we are. If our thought is strung out in time, it is because that is the way our bodies and sense-perceptions are too. Philosophers sometimes wonder whether a machine could think. Maybe it could, but it would be in a way very different from ourselves. This is because a machine’s material makeup is so different from ours. It has no bodily needs, for example, and none of the emotional life which in the case of us humans is bound up with such needs. Our own kind of thinking is inseparable from this sensory, practical and emotional context. This is why, if a machine could think, we might not be able to understand what it was thinking.

The philosophy Marx broke with was for the most part a contemplative affair. Its typical scenario was that of a passive, isolated, disembodied human subject disinterestedly surveying an isolated object. Marx, as we have seen, rejected this kind of subject; but he also insisted that the object of our knowledge is not something eternally fixed and given. It is more likely to be the product of our own historical activity. Just as we have to rethink the subject as a form of practice, so we have to rethink the objective world as the result of human practice. And this means among other things that it can in principle be changed.

Starting with human beings as active and practical, and then situating their thought within that context, help us to cast new light on some of the problems which have plagued philosophers. People who work on the world are less likely to doubt that there is anything out there than those who contemplate it from a leisurely distance. In fact, sceptics can exist in the first place only because there is something out there. If there were not a material world to feed them they would die, and their doubts would perish along with them. If you believe that human beings are passive in the face of reality, this may also persuade you to query the existence of such a world. This is because we confirm the existence of things by experiencing their resistance to our demands. And we do this primarily through our practical activity.

Philosophers have sometimes raised the question of ‘‘other minds.’’ How do we know that the human bodies we encounter have minds like ours? A materialist would reply that if they did not, we would probably not be around to raise the question. There could be no material production to keep us alive without social cooperation, and the capacity to communicate with others is a large part of what we mean by having a mind. One might also point out that the word ‘‘mind’’ is a way of describing the behavior of a particular kind of body: a creative, meaningful, communicative one. We do not need to peer inside people’s heads or wire them up to machines to see whether they possess this mysterious entity. We look at what they do. Consciousness is not some spectral phenomenon; it is something we can see, hear and handle. Human bodies are lumps of material, but peculiarly creative, expressive ones; and it is this creativity that we call ‘‘mind.’’ To call human beings rational is to say that their behavior reveals a pattern of meaning or significance. Enlightenment materialists have sometimes been rightly accused of reducing the world to so much dead, meaningless matter. Just the reverse is true of Marx’s materialism.

The materialist’s response to the sceptic is not a knockdown argument. You might always claim that our experience of social cooperation, or of the world’s resistance to our projects, is itself not to be trusted. Perhaps we are only imagining these things. But looking at such problems in a materialist spirit can illuminate them in a new way. It is possible to see, for example, how intellectuals who begin from the disembodied mind, and quite often end up there as well, are likely to be puzzled by how the mind relates to the body, as well as to the bodies of others. It may be that they see a gap between mind and world. This is ironic, since it is quite often the way the world shapes their own minds that gives rise to this idea. Intellectuals themselves are a caste of people somewhat remote from the material world. Only on the back of a material surplus in society is it possible to produce a professional elite of priests, sages, artists, counsellors, Oxford dons and the like.

Plato thought that philosophy required a leisured aristocratic elite. You cannot have literary salons and learned societies if everyone has to work just to keep social life ticking over. Ivory towers are as rare as bowling alleys in tribal cultures. (They are just as rare in advanced societies, where universities have become organs of corporate capitalism.) Because intellectuals do not need to labour in the sense that bricklayers do, they can come to regard themselves and their ideas as independent of the rest of social existence. And this is one of the many things that Marxists mean by ideology. Such people tend not to see that their very distance from society is itself socially conditioned. The prejudice that thought is independent of reality is itself shaped by social reality.

#### Vote neg to join the party – dual power organizing is the only path to revolutionary change.

Escalante ‘18

[Alyson, philosophy at U of Oregon. 08/24/2018. “Against Electoralism, For Dual Power!” <https://theforgenews.org/2018/08/24/against-electoralism-for-dual-power/>] pat

I am sure that at this point, the opportunists reading this have already begun to type out their typical objection: the world is different than it was in 1917, and the conditions of the United States in no way echo the conditions which enabled the Bolsheviks to achieve revolutionary success.

To this tried and true objection, there is one simple answer: you are entirely correct, and that is why we need to abandon electoralism and working within the bourgeois state.

What were the conditions which allowed the Bolsheviks to successfully revolt? The conditions were that of Dual Power. Alongside the capitalist state, there existed a whole set of institutions and councils which met the needs of the workers. The soviets, a parallel socialist government made up of individual councils, successfully took over many governmental responsibilities in some parts of Petrograd. In the radical Viborg district, the Bolshevik controlled soviets provided government services like mail, alongside programs that could meet the needs of workers. When a far right coup was attempted against the provisional government, it was troops loyal to the Bolshevik factions within the soviet who repelled the coup plotters, proving concretely to the workers of Petrograd that the socialists could not only provide for their needs, but also for their defense.

In short: the Bolsheviks recognized that instead of integrating into the bourgeois state, they could operate outside of it to build dual power. They could establish programs of elected representatives who would serve the workers. They would not bolster the capitalist state in the name of socialism, they would offer an alternative to it.

And so, when the time came for revolt, the masses were already to loyal to the Bolsheviks. The only party who had never compromised, who had denounced the unpopular imperialist wars, who had rejected the provisional government entirely, was the party who successfully gained the support of the workers.

And so, many of us on the more radical fringes of the socialist movement wonder why it is the the DSA and other socialist opportunists seem to think that we can win by bolstering the capitalist state? We wonder, given this powerful historical precedent, why they devote their energy to getting more Ocasios elected; what good does one more left democrat who will abandon the workers do for us?

The answer we receive in return is always the same: we want to win small changes that will make life for the workers easier; we want to protect food stamps and healthcare.

And do this, we reply: what makes you think reformism is the only way to do this. When the bourgeois state in California was happy to let black children go to school unfed, the Black Panthers didn’t rally around democratic candidates, they became militant and fed the children themselves. In the 40s and 50s, socialists in New York saw people going without healthcare and instead of rallying behind democratic candidates, they built the IWO to provide healthcare directly. Both these groups took up our pressing revolutionary task: building dual power.

Imagine if all those hours the DSA poured into electing Ocasio were instead used to feed the people of New York, to provide them with medical care, to ensure their needs were met. Imagine the masses seeing socialism not as a pipe dream we might achieve through electing more imperialists, but as a concrete movement which is currently meeting their needs?

The fact is, we are not nearly ready for revolution. Socialists in the United States have failed to meet the needs of the people, and as long as their only concrete interaction with the masses is handing them a voter registration form, they will continue to fail the people. Our task now is not to elect representatives to advocate for the people; it is much more gruelingly laborious than that. Our task is to serve the people. Our task is to build dual power.

The movement to do this is underway. Members of the DSA refoundation caucus have begun to move the left of the DSA in this direct, socialist groups like Philly Socialists have begun to build dual power through GED programs and tenants unions, many branches of the Party For Socialism and Liberation have begun to feed the people and provide for their concrete needs, and Red Guard collectives in Los Angeles have built serve the people programs and taken on a stance of militant resistance to gentrification. The movement is growing, its time is coming, and dual power is achievable within our life time.

The opportunists are, in a sense, correct. We are not where we were in 1917, but we can begin to move in that direction and dual power can take us there. In order to achieve dual power we have to recognize that Lenin was right: there will be no socialist gains by working within state institutions designed to crush socialism. Furthermore, we must recognize that the strategies of the electoral opportunists trade off with dual power. Electing candidates drains resources, time, and energy away from actually serving the people.

And so, we should commit to undertake the difficult and dangerous task of building dual power. We must reject opportunism, we must name the democratic party as our enemy, we must rally around power directly in the hands of the socialist movement. We do not have a parallel system of soviets in the United States. We can change that. Someday the cry “all power to the soviets” will be heard again. Lets make it happen.

### 1NC – 2

#### Climate Patents and Innovation high now and solving Warming but COVID waiver sets a dangerous precedent for appropriations - the mere threat is sufficient is enough to kill investment.

Brand 5-26, Melissa. “Trips Ip Waiver Could Establish Dangerous Precedent for Climate Change and Other Biotech Sectors.” IPWatchdog.com | Patents & Patent Law, 26 May 2021, www.ipwatchdog.com/2021/05/26/trips-ip-waiver-establish-dangerous-precedent-climate-change-biotech-sectors/id=133964/. //sid

The biotech industry is making remarkable advancestowards climate change solutions, and it is precisely for this reason that it can expect to be in the crosshairs of potential IP waiver discussions. President Biden is correct to refer to climate change as an existential crisis. Yet it does not take too much effort to connect the dots between President Biden’s focus on climate change and his Administration’s recent commitment to waive global IP rights for Covid vaccines (TRIPS IP Waiver). “This is a global health crisis, and the extraordinary circumstances of the COVID-19 pandemic call for extraordinary measures.” If an IP waiver is purportedly necessary to solve the COVID-19 global health crisis (and of course [we dispute this notion](https://www.ipwatchdog.com/2021/04/19/waiving-ip-rights-during-times-of-covid-a-false-good-idea/id=132399/)), can we really feel confident that this or some future Administration will not apply the same logic to the climate crisis? And, without the confidence in the underlying IP for such solutions, what does this mean for U.S. innovation and economic growth? United States Trade Representative (USTR) [Katherine Tai](https://www.ipwatchdog.com/2021/05/05/tai-says-united-states-will-back-india-southafrica-proposal-waive-ip-rights-trips/id=133224/) was subject to questioning along this very line during a recent Senate Finance Committee hearing. And while Ambassador Tai did not affirmatively state that an IP waiver would be in the future for climate change technology, she surely did not assuage the concerns of interested parties. The United States has historically supported robust IP protection. This support is one reason the United States is the center of biotechnology innovation and leading the fight against COVID-19. However, a brief review of the domestic legislation arguably most relevant to this discussion shows just how far the international campaign against IP rights has eroded our normative position. The Clean Air Act, for example, contains a provision allowing for the mandatory licensing of patents covering certain devices for reducing air pollution. Importantly, however, the patent owner is accorded due process and the statute lays out a detailed process regulating the manner in which any such license can be issued, including findings of necessity and that no reasonable alternative method to accomplish the legislated goal exists. Also of critical importance is that the statute requires compensation to the patent holder. Similarly, the Atomic Energy Act contemplates mandatory licensing of patents covering inventions of primary importance in producing or utilizing atomic energy. This statute, too, requires due process, findings of importance to the statutory goals and compensation to the rights holder. A TRIPS IP waiver would operate outside of these types of frameworks. There would be no due process, no particularized findings, no compensationand no recourse. Indeed, the fact that the World Trade Organization (WTO) already has a process under the TRIPS agreement to address public health crises, including the compulsory licensing provisions, with necessary guardrails and compensation, makes quite clear that the waiver would operate as a free for all. Forced Tech Transfer Could Be on The Table When being questioned about the scope of a potential TRIPS IP waiver, Ambassador Tai invoked the proverb “Give a man a fish and you feed him for a day. Teach a man to fish and you feed him for a lifetime.” While this answer suggests primarily that, in times of famine, the Administration would rather give away other people’s fishing rods than share its own plentiful supply of fish (here: actual COVID-19 vaccine stocks), it is apparent that in Ambassador Tai’s view waiving patent rights alone would not help lower- and middle-income countries produce their own vaccines. Rather, they would need to be taught how to make the vaccines and given the biotech industry’s manufacturing know-how, sensitive cell lines, and proprietary cell culture media in order to do so. In other words, Ambassador Tai acknowledged that the scope of the current TRIPS IP waiver discussions includes the concept of forced tech transfer. In the context of climate change, the idea would be that companies who develop successful methods for producing new seed technologies and sustainable biomass**,** reducing greenhouse gases in manufacturing and transportation, capturing and sequestering carbon in soil and products, and more, would be required to turn over their proprietaryknow-how to global competitors. While it is unclear how this concept would work in practice and under the constitutions of certain countries, the suggestion alone could be devastating to voluntary internationalcollaborations. Even if one could assume that the United States could not implement forced tech transfer on its own soil, what about the governments of our international development partners? It is not hard to understand that a U.S.-based company developing climate change technologies would be unenthusiastic about partnering with a company abroad knowing that the foreign country’s government is on track – with the assent of the U.S. government – to change its laws and seize proprietary materials and know-how that had been voluntarily transferred to the local company. Necessary Investment Could Diminish Developing climate change solutions is not an easy endeavor and bad policy positions threaten the likelihood that they will materialize. These products have long lead times from research and development to market introduction, owing not only to a high rate of failure but also rigorous regulatory oversight. Significant investment is required to sustain and drive these challenging and long-enduring endeavors. For example, synthetic biology companies critical to this area of innovation [raised over $1 billion in investment in the second quarter of 2019 alone](https://www.bio.org/sites/default/files/2021-04/Climate%20Report_FINAL.pdf). If investors cannot be confident that IP will be in place to protect important climate change technologies after their long road from bench to market, it is unlikely they will continue to investat the current and required levels**.**

#### Warming causes Extinction

Kareiva 18, Peter, and Valerie Carranza. "Existential risk due to ecosystem collapse: Nature strikes back." Futures 102 (2018): 39-50. (Ph.D. in ecology and applied mathematics from Cornell University, director of the Institute of the Environment and Sustainability at UCLA, Pritzker Distinguished Professor in Environment & Sustainability at UCLA)//Re-cut by Elmer

In summary, six of the nine proposed planetary boundaries (phosphorous, nitrogen, biodiversity, land use, atmospheric aerosol loading, and chemical pollution) are unlikely to be associated with existential risks. They all correspond to a degraded environment, but in our assessment do not represent existential risks. However, the three remaining boundaries (**climate change**, global **freshwater** cycle, **and** ocean **acidification**) do **pose existential risks**. This is **because of** intrinsic **positive feedback loops**, substantial lag times between system change and experiencing the consequences of that change, and the fact these different boundaries interact with one another in ways that yield surprises. In addition, climate, freshwater, and ocean acidification are all **directly connected to** the provision of **food and water**, and **shortages** of food and water can **create conflict** and social unrest. Climate change has a long history of disrupting civilizations and sometimes precipitating the collapse of cultures or mass emigrations (McMichael, 2017). For example, the 12th century drought in the North American Southwest is held responsible for the collapse of the Anasazi pueblo culture. More recently, the infamous potato famine of 1846–1849 and the large migration of Irish to the U.S. can be traced to a combination of factors, one of which was climate. Specifically, 1846 was an unusually warm and moist year in Ireland, providing the climatic conditions favorable to the fungus that caused the potato blight. As is so often the case, poor government had a role as well—as the British government forbade the import of grains from outside Britain (imports that could have helped to redress the ravaged potato yields). Climate change intersects with freshwater resources because it is expected to exacerbate drought and water scarcity, as well as flooding. Climate change can even impair water quality because it is associated with heavy rains that overwhelm sewage treatment facilities, or because it results in higher concentrations of pollutants in groundwater as a result of enhanced evaporation and reduced groundwater recharge. **Ample clean water** is not a luxury—it **is essential for human survival**. Consequently, cities, regions and nations that lack clean freshwater are vulnerable to social disruption and disease. Finally, ocean acidification is linked to climate change because it is driven by CO2 emissions just as global warming is. With close to 20% of the world’s protein coming from oceans (FAO, 2016), the potential for severe impacts due to acidification is obvious. Less obvious, but perhaps more insidious, is the interaction between climate change and the loss of oyster and coral reefs due to acidification. Acidification is known to interfere with oyster reef building and coral reefs. Climate change also increases storm frequency and severity. Coral reefs and oyster reefs provide protection from storm surge because they reduce wave energy (Spalding et al., 2014). If these reefs are lost due to acidification at the same time as storms become more severe and sea level rises, coastal communities will be exposed to unprecedented storm surge—and may be ravaged by recurrent storms. A key feature of the risk associated with climate change is that mean annual temperature and mean annual rainfall are not the variables of interest. Rather it is extreme episodic events that place nations and entire regions of the world at risk. These extreme events are by definition “rare” (once every hundred years), and changes in their likelihood are challenging to detect because of their rarity, but are exactly the manifestations of climate change that we must get better at anticipating (Diffenbaugh et al., 2017). Society will have a hard time responding to shorter intervals between rare extreme events because in the lifespan of an individual human, a person might experience as few as two or three extreme events. How likely is it that you would notice a change in the interval between events that are separated by decades, especially given that the interval is not regular but varies stochastically? A concrete example of this dilemma can be found in the past and expected future changes in storm-related flooding of New York City. The highly disruptive flooding of New York City associated with Hurricane Sandy represented a flood height that occurred once every 500 years in the 18th century, and that occurs now once every 25 years, but is expected to occur once every 5 years by 2050 (Garner et al., 2017). This change in frequency of extreme floods has profound implications for the measures New York City should take to protect its infrastructure and its population, yet because of the stochastic nature of such events, this shift in flood frequency is an elevated risk that will go unnoticed by most people. 4. The combination of positive feedback loops and societal inertia is fertile ground for global environmental catastrophes **Humans** are remarkably ingenious, and **have adapted** to crises **throughout** their **history**. Our doom has been repeatedly predicted, only to be averted by innovation (Ridley, 2011). **However**, the many **stories** **of** human ingenuity **successfully** **addressing** **existential risks** such as global famine or extreme air pollution **represent** environmental c**hallenges that are** largely **linear**, have immediate consequences, **and operate without positive feedbacks**. For example, the fact that food is in short supply does not increase the rate at which humans consume food—thereby increasing the shortage. Similarly, massive air pollution episodes such as the London fog of 1952 that killed 12,000 people did not make future air pollution events more likely. In fact it was just the opposite—the London fog sent such a clear message that Britain quickly enacted pollution control measures (Stradling, 2016). Food shortages, air pollution, water pollution, etc. send immediate signals to society of harm, which then trigger a negative feedback of society seeking to reduce the harm. In contrast, today’s great environmental crisis of climate change may cause some harm but there are generally long time delays between rising CO2 concentrations and damage to humans. The consequence of these delays are an absence of urgency; thus although 70% of Americans believe global warming is happening, only 40% think it will harm them (http://climatecommunication.yale.edu/visualizations-data/ycom-us-2016/). Secondly, unlike past environmental challenges, **the Earth’s climate system is rife with positive feedback loops**. In particular, as CO2 increases and the climate warms, that **very warming can cause more CO2 release** which further increases global warming, and then more CO2, and so on. Table 2 summarizes the best documented positive feedback loops for the Earth’s climate system. These feedbacks can be neatly categorized into carbon cycle, biogeochemical, biogeophysical, cloud, ice-albedo, and water vapor feedbacks. As important as it is to understand these feedbacks individually, it is even more essential to study the interactive nature of these feedbacks. Modeling studies show that when interactions among feedback loops are included, uncertainty increases dramatically and there is a heightened potential for perturbations to be magnified (e.g., Cox, Betts, Jones, Spall, & Totterdell, 2000; Hajima, Tachiiri, Ito, & Kawamiya, 2014; Knutti & Rugenstein, 2015; Rosenfeld, Sherwood, Wood, & Donner, 2014). This produces a wide range of future scenarios. Positive feedbacks in the carbon cycle involves the enhancement of future carbon contributions to the atmosphere due to some initial increase in atmospheric CO2. This happens because as CO2 accumulates, it reduces the efficiency in which oceans and terrestrial ecosystems sequester carbon, which in return feeds back to exacerbate climate change (Friedlingstein et al., 2001). Warming can also increase the rate at which organic matter decays and carbon is released into the atmosphere, thereby causing more warming (Melillo et al., 2017). Increases in food shortages and lack of water is also of major concern when biogeophysical feedback mechanisms perpetuate drought conditions. The underlying mechanism here is that losses in vegetation increases the surface albedo, which suppresses rainfall, and thus enhances future vegetation loss and more suppression of rainfall—thereby initiating or prolonging a drought (Chamey, Stone, & Quirk, 1975). To top it off, overgrazing depletes the soil, leading to augmented vegetation loss (Anderies, Janssen, & Walker, 2002). Climate change often also increases the risk of forest fires, as a result of higher temperatures and persistent drought conditions. The expectation is that **forest fires will become more frequent** and severe with climate warming and drought (Scholze, Knorr, Arnell, & Prentice, 2006), a trend for which we have already seen evidence (Allen et al., 2010). Tragically, the increased severity and risk of Southern California wildfires recently predicted by climate scientists (Jin et al., 2015), was realized in December 2017, with the largest fire in the history of California (the “Thomas fire” that burned 282,000 acres, https://www.vox.com/2017/12/27/16822180/thomas-fire-california-largest-wildfire). This **catastrophic fire** embodies the sorts of positive feedbacks and interacting factors that **could catch humanity off-guard and produce a** true **apocalyptic event.** Record-breaking rains produced an extraordinary flush of new vegetation, that then dried out as record heat waves and dry conditions took hold, coupled with stronger than normal winds, and ignition. Of course the record-fire released CO2 into the atmosphere, thereby contributing to future warming. Out of all types of feedbacks, water vapor and the ice-albedo feedbacks are the most clearly understood mechanisms. Losses in reflective snow and ice cover drive up surface temperatures, leading to even more melting of snow and ice cover—this is known as the ice-albedo feedback (Curry, Schramm, & Ebert, 1995). As snow and ice continue to melt at a more rapid pace, millions of people may be displaced by flooding risks as a consequence of sea level rise near coastal communities (Biermann & Boas, 2010; Myers, 2002; Nicholls et al., 2011). The water vapor feedback operates when warmer atmospheric conditions strengthen the saturation vapor pressure, which creates a warming effect given water vapor’s strong greenhouse gas properties (Manabe & Wetherald, 1967). Global warming tends to increase cloud formation because warmer temperatures lead to more evaporation of water into the atmosphere, and warmer temperature also allows the atmosphere to hold more water. The key question is whether this increase in clouds associated with global warming will result in a positive feedback loop (more warming) or a negative feedback loop (less warming). For decades, scientists have sought to answer this question and understand the net role clouds play in future climate projections (Schneider et al., 2017). Clouds are complex because they both have a cooling (reflecting incoming solar radiation) and warming (absorbing incoming solar radiation) effect (Lashof, DeAngelo, Saleska, & Harte, 1997). The type of cloud, altitude, and optical properties combine to determine how these countervailing effects balance out. Although still under debate, it appears that in most circumstances the cloud feedback is likely positive (Boucher et al., 2013). For example, models and observations show that increasing greenhouse gas concentrations reduces the low-level cloud fraction in the Northeast Pacific at decadal time scales. This then has a positive feedback effect and enhances climate warming since less solar radiation is reflected by the atmosphere (Clement, Burgman, & Norris, 2009). The key lesson from the long list of potentially positive feedbacks and their interactions is that **runaway climate change,** and runaway perturbations have to be taken as a serious possibility. Table 2 is just a snapshot of the type of feedbacks that have been identified (see Supplementary material for a more thorough explanation of positive feedback loops). However, this list is not exhaustive and the possibility of undiscovered positive feedbacks **portends** even greater **existential risks**. The many environmental crises humankind has previously averted (famine, ozone depletion, London fog, water pollution, etc.) were averted because of political will based on solid scientific understanding. We cannot count on complete scientific understanding when it comes to positive feedback loops and climate change.

### 1NC – 3

#### The standard is maximizing expected wellbeing.

#### [1] Actor specificity – comes first since different agents have different ethical obligations. [A] Aggregation – every policy benefits some and harms others, which also means side constraints freeze action. [B] No act-omission distinction – choosing to omit is an act itself – people psychologically decide not to act which means being presented with the aff creates a choice between two actions, neither of which is an omission

#### [2] Extinction first. [A] Reversibility- it forecloses the alternative because we can’t improve society if we are all dead [B] Structural violence- death causes suffering because people can’t get access to resources and basic necessities [C] Objectivity- body count is the most objective way to calculate impacts because comparing suffering is unethical

### 1NC – 4

#### Interpretation – the Affirmative must specify an enforcement mechanism for the Plan in a delineated text in the 1AC. There is no normal means since terms are negotiated contextually among member states.

WTO No Date "Whose WTO is it anyway?" <https://www.wto.org/english/thewto_e/whatis_e/tif_e/org1_e.htm> //Elmer

**When WTO rules impose disciplines** on countries’ policies, **that is the outcome of negotiations among WTO members.** The rules are **enforced** **by** the **members themselves** **under agreed procedures that they negotiated**, **including the possibility of trade sanctions**. But those sanctions are imposed by member countries, and authorized by the membership as a whole. This is quite different from other agencies whose bureaucracies can, for example, influence a country’s policy by threatening to withhold credit.

#### Violation: they don’t - the line in the 1ac doesn’t say how they spec enforcement just what the aff does.

#### Standards

#### 1] Shiftiness- They can redefine the 1AC’s enforcement mechanism in the 1AR which allows them to recontextualize their enforcement mechanism to wriggle out of DA’s since all DA links are predicated on type of enforcement

#### Cx doesn’t check – [A] nonverifiable, judges don’t flow it, [B] doesn’t solve preround – limits me to 4 minutes of prep to prep a 1n as opposed to 30

#### Fairness and education are voters – its how judges evaluate rounds and why schools fund debate

#### DTD – it’s key to norm set and deter future abuse

#### Competing interps – Reasonability invites arbitrary judge intervention and a race to the bottom of questionable argumentation

#### No RVIs – A – Encourages theory baiting – outweighs because if the shell is frivolous, they can beat it quickly B – its illogical for you to win for proving you were fair