# AC

## FW

#### Our value is morality as given by the word “ought” in the resolution.

#### The standard is maximizing expected well-being or utilitarianism (util).

#### 1] Pleasure and pain are intrinsic value and disvalue, they form the foundation of experiences, value, and reasoning. We inherently engage in util to max pleasure min pain.

Blum et al. 18

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**Pleasure** is not only one of the three primary reward functions but it also **defines reward.** As homeostasis explains the functions of only a limited number of rewards, the principal reason why particular stimuli, objects, events, situations, and activities are rewarding may be due to pleasure. This applies first of all to sex and to the primary homeostatic rewards of food and liquid and extends to money, taste, beauty, social encounters and nonmaterial, internally set, and intrinsic rewards. Pleasure, as the primary effect of rewards, drives the prime reward functions of learning, approach behavior, and decision making and provides the **basis for hedonic theories** of reward function. We are attracted by most rewards and exert intense efforts to obtain them, just because they are enjoyable [10]. Pleasure is a passive reaction that derives from the experience or prediction of reward and may lead to a long-lasting state of happiness. The word happiness is difficult to define. In fact, just obtaining physical pleasure may not be enough. One key to happiness involves a network of good friends. However, it is not obvious how the higher forms of satisfaction and pleasure are related to an ice cream cone, or to your team winning a sporting event. Recent multidisciplinary research, using both humans and detailed invasive brain analysis of animals has discovered some critical ways that the brain processes pleasure [14]. Pleasure as a hallmark of reward is sufficient for defining a reward, but it may not be necessary. A reward may generate positive learning and approach behavior simply because it contains substances that are essential for body function. When we are hungry, we may eat bad and unpleasant meals. A monkey who receives hundreds of small drops of water every morning in the laboratory is unlikely to feel a rush of pleasure every time it gets the 0.1 ml. Nevertheless, with these precautions in mind, we may define any stimulus, object, event, activity, or situation that has the potential to produce pleasure as a reward. In the context of reward deficiency or for disorders of addiction, homeostasis pursues pharmacological treatments: drugs to treat drug addiction, obesity, and other compulsive behaviors. The theory of allostasis suggests broader approaches - such as re-expanding the range of possible pleasures and providing opportunities to expend effort in their pursuit. [15]. It is noteworthy, the first animal studies eliciting approach behavior by electrical brain stimulation interpreted their findings as a discovery of the brain’s pleasure centers [16] which were later partly associated with midbrain dopamine neurons [17–19] despite the notorious difficulties of identifying emotions in animals. Evolutionary theories of pleasure: The love connection BO:D Charles Darwin and other biological scientists that have examined the biological evolution and its basic principles found various mechanisms that steer behavior and biological development. Besides their theory on natural selection, it was particularly the sexual selection process that gained significance in the latter context over the last century, especially when it comes to the question of what makes us “what we are,” i.e., human. However, the capacity to sexually select and evolve is not at all a human accomplishment alone or a sign of our uniqueness; yet, we humans, as it seems, are ingenious in fooling ourselves and others–when we are in love or desperately search for it. It is well established that modern biological theory conjectures that **organisms are** the **result of evolutionary competition.** In fact, Richard Dawkins stresses gene survival and propagation as the basic mechanism of life [20]. Only genes that lead to the fittest phenotype will make it. It is noteworthy that the phenotype is selected based on behavior that maximizes gene propagation. To do so, the phenotype must survive and generate offspring, and be better at it than its competitors. Thus, the ultimate, distal function of rewards is to increase evolutionary fitness by ensuring the survival of the organism and reproduction. It is agreed that learning, approach, economic decisions, and positive emotions are the proximal functions through which phenotypes obtain other necessary nutrients for survival, mating, and care for offspring. Behavioral reward functions have evolved to help individuals to survive and propagate their genes. Apparently, people need to live well and long enough to reproduce. Most would agree that homo-sapiens do so by ingesting the substances that make their bodies function properly. For this reason, foods and drinks are rewards. Additional rewards, including those used for economic exchanges, ensure sufficient palatable food and drink supply. Mating and gene propagation is supported by powerful sexual attraction. Additional properties, like body form, augment the chance to mate and nourish and defend offspring and are therefore also rewards. Care for offspring until they can reproduce themselves helps gene propagation and is rewarding; otherwise, many believe mating is useless. According to David E Comings, as any small edge will ultimately result in evolutionary advantage [21], additional reward mechanisms like novelty seeking and exploration widen the spectrum of available rewards and thus enhance the chance for survival, reproduction, and ultimate gene propagation. These functions may help us to obtain the benefits of distant rewards that are determined by our own interests and not immediately available in the environment. Thus the distal reward function in gene propagation and evolutionary fitness defines the proximal reward functions that we see in everyday behavior. That is why foods, drinks, mates, and offspring are rewarding. There have been theories linking pleasure as a required component of health benefits salutogenesis, (salugenesis). In essence, under these terms, pleasure is described as a state or feeling of happiness and satisfaction resulting from an experience that one enjoys. Regarding pleasure, it is a double-edged sword, on the one hand, it promotes positive feelings (like mindfulness) and even better cognition, possibly through the release of dopamine [22]. But on the other hand, pleasure simultaneously encourages addiction and other negative behaviors, i.e., motivational toxicity. It is a complex neurobiological phenomenon, relying on reward circuitry or limbic activity. It is important to realize that through the “Brain Reward Cascade” (BRC) endorphin and endogenous morphinergic mechanisms may play a role [23]. While natural rewards are essential for survival and appetitive motivation leading to beneficial biological behaviors like eating, sex, and reproduction, crucial social interactions seem to further facilitate the positive effects exerted by pleasurable experiences. Indeed, experimentation with addictive drugs is capable of directly acting on reward pathways and causing deterioration of these systems promoting hypodopaminergia [24]. Most would agree that pleasurable activities can stimulate personal growth and may help to induce healthy behavioral changes, including stress management [25]. The work of Esch and Stefano [26] concerning the link between compassion and love implicate the brain reward system, and pleasure induction suggests that social contact in general, i.e., love, attachment, and compassion, can be highly effective in stress reduction, survival, and overall health. Understanding the role of neurotransmission and pleasurable states both positive and negative have been adequately studied over many decades [26–37], but comparative anatomical and neurobiological function between animals and homo sapiens appear to be required and seem to be in an infancy stage. Finding happiness is different between apes and humans As stated earlier in this expert opinion one key to happiness involves a network of good friends [38]. However, it is not entirely clear exactly how the higher forms of satisfaction and pleasure are related to a sugar rush, winning a sports event or even sky diving, all of which augment dopamine release at the reward brain site. Recent multidisciplinary research, using both humans and detailed invasive brain analysis of animals has discovered some critical ways that the brain processes pleasure. Remarkably, there are pathways for ordinary liking and pleasure, which are limited in scope as described above in this commentary. However, there are **many brain regions**, often termed hot and cold spots, that significantly **modulate** (increase or decrease) our **pleasure or** even **produce the opposite** of pleasure— that is disgust and fear [39]. One specific region of the nucleus accumbens is organized like a computer keyboard, with particular stimulus triggers in rows— producing an increase and decrease of pleasure and disgust. Moreover, the cortex has unique roles in the cognitive evaluation of our feelings of pleasure [40]. Importantly, the interplay of these multiple triggers and the higher brain centers in the prefrontal cortex are very intricate and are just being uncovered. Desire and reward centers It is surprising that many different sources of pleasure activate the same circuits between the mesocorticolimbic regions (Figure 1). Reward and desire are two aspects pleasure induction and have a very widespread, large circuit. Some part of this circuit distinguishes between desire and dread. The so-called pleasure circuitry called “REWARD” involves a well-known dopamine pathway in the mesolimbic system that can influence both pleasure and motivation. In simplest terms, the well-established mesolimbic system is a dopamine circuit for reward. It starts in the ventral tegmental area (VTA) of the midbrain and travels to the nucleus accumbens (Figure 2). It is the cornerstone target to all addictions. The VTA is encompassed with neurons using glutamate, GABA, and dopamine. The nucleus accumbens (NAc) is located within the ventral striatum and is divided into two sub-regions—the motor and limbic regions associated with its core and shell, respectively. The NAc has spiny neurons that receive dopamine from the VTA and glutamate (a dopamine driver) from the hippocampus, amygdala and medial prefrontal cortex. Subsequently, the NAc projects GABA signals to an area termed the ventral pallidum (VP). The region is a relay station in the limbic loop of the basal ganglia, critical for motivation, behavior, emotions and the “Feel Good” response. This defined system of the brain is involved in all addictions –substance, and non –substance related. In 1995, our laboratory coined the term “Reward Deficiency Syndrome” (RDS) to describe genetic and epigenetic induced hypodopaminergia in the “Brain Reward Cascade” that contribute to addiction and compulsive behaviors [3,6,41]. Furthermore, ordinary “liking” of something, or pure pleasure, is represented by small regions mainly in the limbic system (old reptilian part of the brain). These may be part of larger neural circuits. In Latin, hedus is the term for “sweet”; and in Greek, hodone is the term for “pleasure.” Thus, the word Hedonic is now referring to various subcomponents of pleasure: some associated with purely sensory and others with more complex emotions involving morals, aesthetics, and social interactions. The capacity to have pleasure is part of being healthy and may even extend life, especially if linked to optimism as a dopaminergic response [42]. Psychiatric illness often includes symptoms of an abnormal inability to experience pleasure, referred to as anhedonia. A negative feeling state is called dysphoria, which can consist of many emotions such as pain, depression, anxiety, fear, and disgust. Previously many scientists used animal research to uncover the complex mechanisms of pleasure, liking, motivation and even emotions like panic and fear, as discussed above [43]. However, as a significant amount of related research about the specific brain regions of pleasure/reward circuitry has been derived from invasive studies of animals, these cannot be directly compared with subjective states experienced by humans. In an attempt to resolve the controversy regarding the causal contributions of mesolimbic dopamine systems to reward, we have previously evaluated the three-main competing explanatory categories: “liking,” “learning,” and “wanting” [3]. That is, dopamine may mediate (a) liking: the hedonic impact of reward, (b) learning: learned predictions about rewarding effects, or (c) wanting: the pursuit of rewards by attributing incentive salience to reward-related stimuli [44]. We have evaluated these hypotheses, especially as they relate to the RDS, and we find that the incentive salience or “wanting” hypothesis of dopaminergic functioning is supported by a majority of the scientific evidence. Various neuroimaging studies have shown that anticipated behaviors such as sex and gaming, delicious foods and drugs of abuse all affect brain regions associated with reward networks, and may not be unidirectional. Drugs of abuse enhance dopamine signaling which sensitizes mesolimbic brain mechanisms that apparently evolved explicitly to attribute incentive salience to various rewards [45]. Addictive substances are voluntarily self-administered, and they enhance (directly or indirectly) dopaminergic synaptic function in the NAc. This activation of the brain reward networks (producing the ecstatic “high” that users seek). Although these circuits were initially thought to encode a set point of hedonic tone, it is now being considered to be far more complicated in function, also encoding attention, reward expectancy, disconfirmation of reward expectancy, and incentive motivation [46]. The argument about addiction as a disease may be confused with a predisposition to substance and nonsubstance rewards relative to the extreme effect of drugs of abuse on brain neurochemistry. The former sets up an individual to be at high risk through both genetic polymorphisms in reward genes as well as harmful epigenetic insult. Some Psychologists, even with all the data, still infer that addiction is not a disease [47]. Elevated stress levels, together with polymorphisms (genetic variations) of various dopaminergic genes and the genes related to other neurotransmitters (and their genetic variants), and may have an additive effect on vulnerability to various addictions [48]. In this regard, Vanyukov, et al. [48] suggested based on review that whereas the gateway hypothesis does not specify mechanistic connections between “stages,” and does not extend to the risks for addictions the concept of common liability to addictions may be more parsimonious. The latter theory is grounded in genetic theory and supported by data identifying common sources of variation in the risk for specific addictions (e.g., RDS). This commonality has identifiable neurobiological substrate and plausible evolutionary explanations. Over many years the controversy of dopamine involvement in especially “pleasure” has led to confusion concerning separating motivation from actual pleasure (wanting versus liking) [49]. We take the position that animal studies cannot provide real clinical information as described by self-reports in humans. As mentioned earlier and in the abstract, on November 23rd, 2017, evidence for our concerns was discovered [50] In essence, although nonhuman primate brains are similar to our own, the disparity between other primates and those of human cognitive abilities tells us that surface similarity is not the whole story. Sousa et al. [50] small case found various differentially expressed genes, to associate with pleasure related systems. Furthermore, the dopaminergic interneurons located in the human neocortex were absent from the neocortex of nonhuman African apes. Such differences in neuronal transcriptional programs may underlie a variety of neurodevelopmental disorders. In simpler terms, the system controls the production of dopamine, a chemical messenger that plays a significant role in pleasure and rewards. The senior author, Dr. Nenad Sestan from Yale, stated: “Humans have evolved a dopamine system that is different than the one in chimpanzees.” This may explain why the behavior of humans is so unique from that of non-human primates, even though our brains are so surprisingly similar, Sestan said: “It might also shed light on why people are vulnerable to mental disorders such as autism (possibly even addiction).” Remarkably, this research finding emerged from an extensive, multicenter collaboration to compare the brains across several species. These researchers examined 247 specimens of neural tissue from six humans, five chimpanzees, and five macaque monkeys. Moreover, these investigators analyzed which genes were turned on or off in 16 regions of the brain. While the differences among species were subtle, **there was** a **remarkable contrast in** the **neocortices**, specifically in an area of the brain that is much more developed in humans than in chimpanzees. In fact, these researchers found that a gene called tyrosine hydroxylase (TH) for the enzyme, responsible for the production of dopamine, was expressed in the neocortex of humans, but not chimpanzees. As discussed earlier, dopamine is best known for its essential role within the brain’s reward system; the very system that responds to everything from sex, to gambling, to food, and to addictive drugs. However, dopamine also assists in regulating emotional responses, memory, and movement. Notably, abnormal dopamine levels have been linked to disorders including Parkinson’s, schizophrenia and spectrum disorders such as autism and addiction or RDS. Nora Volkow, the director of NIDA, pointed out that one alluring possibility is that the neurotransmitter dopamine plays a substantial role in humans’ ability to pursue various rewards that are perhaps months or even years away in the future. This same idea has been suggested by Dr. Robert Sapolsky, a professor of biology and neurology at Stanford University. Dr. Sapolsky cited evidence that dopamine levels rise dramatically in humans when we anticipate potential rewards that are uncertain and even far off in our futures, such as retirement or even the possible alterlife. This may explain what often motivates people to work for things that have no apparent short-term benefit [51]. In similar work, Volkow and Bale [52] proposed a model in which dopamine can favor NOW processes through phasic signaling in reward circuits or LATER processes through tonic signaling in control circuits. Specifically, they suggest that through its modulation of the orbitofrontal cortex, which processes salience attribution, dopamine also enables shilting from NOW to LATER, while its modulation of the insula, which processes interoceptive information, influences the probability of selecting NOW versus LATER actions based on an individual’s physiological state. This hypothesis further supports the concept that disruptions along these circuits contribute to diverse pathologies, including obesity and addiction or RDS.

#### 2] Governments/states have to prefer util, as we cannot look into the lives of every single person in order to determine an action to make, especially on the scale of a nation.

**Goodin 95** (Robert, philsopher at the Research School of the Social Sciences, Utilitarianism as Public Philosophy. P. 62-63)

**My larger argument turns on the proposition that there is something special about the situation of public officials that makes utilitarianism more probable for them than private individuals. Before proceeding with the large argument, I must therefore say what it is that makes it so special about public officials and their situations that make it both more necessary and more desirable for them to adopt a more credible form of utilitarianism. Consider, first, the argument from necessity. Public officials are obliged to make their choices under uncertainty, and uncertainty of a very special sort at that. All choices – public and private alike – are made under some degree of uncertainty, of course. But in the nature of things, private individuals will usually have more complete information on the peculiarities of their own circumstances and on the ramifications that alternative possible choices might have for them. Public officials, in contrast, are relatively poorly informed as to the effects that their choices will have on individuals, one by one. What they typically do know are generalities: averages and aggregates. They know what will happen most often to most people as a result of their various possible choices, but that is all. That is enough to allow public policy-makers to use the utilitarian calculus – assuming they want to use it at all – to choose general rules or conduct.**

#### 3] Extinction first and outweighs

MacAskill 14 [William, Oxford Philosopher and youngest tenured philosopher in the world, Normative Uncertainty, 2014]

The human race might go extinct from a number of causes: asteroids, supervolcanoes, runaway climate change, pandemics, nuclear war, and the development and use of dangerous new technologies such as synthetic biology, all pose risks (even if very small) to the continued survival of the human race.184 And different moral views give opposing answers to question of whether this would be a good or a bad thing. It might seem obvious that human extinction would be a very bad thing, both because of the loss of potential future lives, and because of the loss of the scientific and artistic progress that we would make in the future. But the issue is at least unclear. The continuation of the human race would be a mixed bag: inevitably, it would involve both upsides and downsides. And if one regards it as much more important to avoid bad things happening than to promote good things happening then one could plausibly regard human extinction as a good thing.For example, one might regard the prevention of bads as being in general more important that the promotion of goods, as defended historically by G. E. Moore,185 and more recently by Thomas Hurka.186 One could weight the prevention of suffering as being much more important that the promotion of happiness. Or one could weight the prevention of objective bads, such as war and genocide, as being much more important than the promotion of objective goods, such as scientific and artistic progress. If the human race continues its future will inevitably involve suffering as well as happiness, and objective bads as well as objective goods. So, if one weights the bads sufficiently heavily against the goods, or if one is sufficiently pessimistic about humanity’s ability to achieve good outcomes, then one will regard human extinction as a good thing.187 However, even if we believe in a moral view according to which human extinction would be a good thing, we still have strong reason to prevent near-term human extinction. To see this, we must note three points. First, we should note that the extinction of the human race is an extremely high stakes moral issue. Humanity could be around for a very long time: if humans survive as long as the median mammal species, we will last another two million years. On this estimate, the number of humans in existence in the The future, given that we don’t go extinct any time soon, would be 2×10^14. So if it is good to bring new people into existence, then it’s very good to prevent human extinction. Second, human extinction is by its nature an irreversible scenario. If we continue to exist, then we always have the option of letting ourselves go extinct in the future (or, perhaps more realistically, of considerably reducing population size). But if we go extinct, then we can’t magically bring ourselves back into existence at a later date. Third, we should expect ourselves to progress, morally, over the next few centuries, as we have progressed in the past. So we should expect that in a few centuries’ time we will have better evidence about how to evaluate human extinction than we currently have. Given these three factors, it would be better to prevent the near-term extinction of the human race, even if we thought that the extinction of the human race would actually be a very good thing. To make this concrete, I’ll give the following simple but illustrative model. Suppose that we have 0.8 credence that it is a bad thing to produce new people, and 0.2 certain that it’s a good thing to produce new people; and the degree to which it is good to produce new people, if it is good, is the same as the degree to which it is bad to produce new people, if it is bad. That is, I’m supposing, for simplicity, that we know that one new life has one unit of value; we just don’t know whether that unit is positive or negative. And let’s use our estimate of 2×10^14 people who would exist in the future, if we avoid near-term human extinction. Given our stipulated credences, the expected benefit of letting the human race go extinct now would be (.8-.2)×(2×10^14) = 1.2×(10^14). Suppose that, if we let the human race continue and did research for 300 years, we would know for certain whether or not additional people are of positive or negative value. If so, then with the credences above we should think it 80% likely that we will find out that it is a bad thing to produce new people, and 20% likely that we will find out that it’s a good thing to produce new people. So there’s an 80% chance of a loss of 3×(10^10) (because of the delay of letting the human race go extinct), the expected value of which is 2.4×(10^10). But there’s also a 20% chance of a gain of 2×(10^14), the expected value of which is 4×(10^13). That is, in expected value terms, the cost of waiting for a few hundred years is vanishingly small compared with the benefit of keeping one’s options open while one gains new information.

#### 4] Equal individual value reinforces util.

**Cummiskey 90’**

Kantian Consequentialism. David Cummiskey. [Associate Philosophy Professor at Bates College]. Ethics, Vol. 100, No. 3. 1990. http://www.jstor.org/stable/2381810.

If one truly believes that all rational beings have an equal value, then the rational solution to such a dilemma involves maximally promoting the lives and liberties of as many rational beings as possible (chapter 5). In order to avoid this conclusion, the non-consequentialist Kantian needs to justify agent-centered constraints. As we saw in chapter 1, however, even most Kantian deontologists recognize that agent-centered constraints require a non- value-based rationale. But we have seen that Kant’s normative theory is based on an unconditionally valuable end. How can a concern for the value of rational beings lead to a refusal to sacrifice rational beings even when this would prevent other more extensive losses of rational beings? If the moral law is based on the value of rational beings and their ends, then what is the rationale for prohibiting a moral agent from maximally promoting these two tiers of value? **If I sacrifice some for the sake of others,** I do not use them arbitrarily, and **I do not deny the unconditional value of rational beings.** Persons may have “dignity, that is, an unconditional and incomparable worth” that transcends any market value (GMM 436), but **persons** also **have a fundamental equality that dictates that some must sometimes give way for the sake of others** (chapters 5 and 7). The concept of the end-in-itself does not support the view that we may never force another to bear some cost in order to benefit others. **If one focuses on the equal value of all rational beings**, then equal consideration suggests that one may have to sacrifice some to save

#### 5] Util is also fair.

**Driver 09’**

<https://plato.stanford.edu/entries/utilitarianism-history/>

**Util**itarianism **is** also distinguished by **impartial**ity **and agent-neutral**ity. **Everyone's** happiness counts **the same.** When one maximizes the good, it is the good impartially considered. **My good counts for no more than** anyone **else's good**. Further, **the reason I** have to **promote** the overall **good is the same** reason anyone **else** has to so **promote** the **good**. It is not peculiar to me.

#### 6] COLLAPSE: Util acts as a prereq to other frameworks and other frameworks collapse into util.

**A] This is since first, all frameworks essentially collapse down to a maximization of something or an aspect of our lives in which creates more wellbeing in our world. Such is util.**

**B] Second, many frameworks function under the basis that the agent is alive. Thus, we must first maximize life and well-being in order for my opponent’s framing to be possible.**

## 1

#### We affirm the resolution

#### They link – IPRs are fundamental to capitalism and promote it. They are inherent to capitalism.

**Granstrand 99’**

https://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.199.735&rep=rep1&type=pdf

A specific economic institution, even older than capitalist industrial society itself, is the system of intellectual property rights (IPRs), including not only patents but also trademarks, trade secrets, copyrights, designs and artistic works. The intellectual property rights system has historically not been considered a strong and important element of traditional capitalism. 4 However, in the 1980s the patent system became significantly strengthened in the USA and a so-called “pro-patent” era emerged for various reasons. One strong reason was the concern that US industry had difficulties in protecting and exploiting its investments in R&D and new technologies in view of the competitive successes of several Asian economies, Japan in particular. This development can be seen as an important symptom of the transition towards intellectual capitalism, and it has focused wide attention upon patents, intellectual property rights and intellectual capital matters in general.

#### Ross further proves

**Ross 21’**

https://www.investopedia.com/ask/answers/040615/how-are-capitalism-and-private-property-related.asp

Private [property rights](https://www.investopedia.com/terms/p/property_rights.asp) are central to a capitalist economy, its execution, and its legal defenses. [Capitalism](https://www.investopedia.com/terms/c/capitalism.asp) is built on the free exchange of goods and services between different parties, and nobody can rightfully trade property they do not own. Conversely, property rights provide a legal framework for prosecuting aggression against non-voluntary means of acquiring resources; there is no need for capitalist trade in a society where people could simply take from others what they want by force or the threat of force.

#### IPRs fuel capitalism and monopoly.

**Perelman 03’**

https://monthlyreview.org/2003/01/01/the-political-economy-of-intellectual-property/

At first, business owners tried forming cartels and trusts to hobble competitive forces. In response to vigorous protests, Congress passed the Sherman Antitrust Act. However, corporations were able to use patents, which were perfectly legal, as a convenient loophole to evade the intent of that law. Through patent pools, they could divide up the market and exclude new competitors. In this way, intellectual property rights were important in establishing monopoly capitalism. The strengthening of intellectual property rights accelerated once again as the bloom wore off the post-Second World War “Golden Age” and the United States’ export surplus disappeared. Behind closed doors, corporate leaders successfully lobbied the government to strengthen intellectual property rights that would give advantages to their industries. Just as in the late nineteenth century, business saw property rights as a means of increasing profits when economic conditions began to sour. The public never had a clue about the extent to which the government had given away important rights. Today, intellectual property rights claims go far beyond patent protection for useful inventions and copyrights for new music. Some claims are so outlandish that they would be humorous if the courts did not take them so seriously. For example, lawyers are now suggesting that athletes should patent the way they shoot a basket or catch a pass.2 The American Society of Composers, Authors, and Publishers (ASCAP), ever on the lookout for more royalties, was about to sue the Girl Scouts for singing “Row, Row, Row Your Boat” and other songs around campfires until adverse publicity caused it to relent.3 On the same day that the Girl Scout article appeared, a Wall Street Journal article reported that the National Basketball Association was engaged in a suit against America Online over the transmission of game scores and statistics from NBA games in progress.4 In another case, someone, in all seriousness, patented the correct way of lifting a box.5 In one remarkable case, a patient found that his doctor had patented genetic material from the patient’s own body without informing him. The patient sued for compensation, but the courts upheld the doctor’s rights to the intellectual property encoded in the patient’s genes.6 Absurd claims to informational property rights have been expanding by leaps and bounds. People have successfully convinced the Patent and Trademark Office to grant property rights for everything from colors to a specific number.7 The Patent and Trademark Office even registered the “frowny” emoticon as a trademark of Despair.com. Ralph Lauren won a victory in an appeals court in 2000, when his lawyers forced a magazine, begun in 1975 as the official publication of the U.S. Polo Association, to change its name because Lauren claimed the word “Polo” as intellectual property.8 In a similar case, when educators at the Australian Institute of Management listed a twenty-year-old course, “Effective Negotiation Skills,” on the organization’s Web site, a United States training group, Karrass, told the institute to take the course description off the site because Karrass has a U.S. trademark over the expressions “effective negotiating,” “advanced effective negotiating,” and “effective sales negotiating.”9 One critic of the patent system even succeeded in winning a patent for Kirchoff’s law, a scientific principle first developed in 1845, proving that the electric current flowing into a function equals the current flowing out.10 If an individual critic of the patent system is able to manipulate the Patent and Trademark Office into registering such ridiculous claims, think of how much profit-maximizing corporations, with enormous resources available for research and legal expenses, are able to stake out as private property. To illustrate this point, Richard Stallman, winner of a MacArthur “genius” award, challenged Bruce Lehman, then head of the U.S. Patent and Trademark Office, at a contentious meeting. Stallman produced a voluminous, unwieldy printout of a computer program he had written earlier with several colleagues. He explained that the program was currently in use on more than a million computers, including those of the U.S. Air Force and major companies, such as Intel and Motorola. “Just a few lines of code can be enough to infringe a patent, and this compiler has ten thousand pages,” Stallman said, gesturing to the document. “How many patents does it infringe? I don’t know. Nobody does. Perhaps you can read the code and tell me?” he challenged Mr. Lehman.11 Intellectual property rights change the nature of competition. Most industries that do not enjoy the protection of intellectual property rights find themselves involved in intense competition, which lowers their profits. In contrast, companies with intellectual property rights face limited competition and can enjoy elevated profits. For example, Federal Reserve Board Chairman Alan Greenspan recently told Congress: “Indeed, a striking feature of the current cyclical episode relative to many earlier ones has been the virtual absence of pricing power across much of American business, as increasing globalization and deregulation have enhanced competition. In this low-inflation environment, firms have perceived very little ability to pass cost increases on to customers.”12 Let us decode the Chairman’s words. For agricultural products, steel, and other commodity-like goods with no intellectual property protection, competitive forces put powerful pressure on profits. If the entire economy were like those industries, a severe crisis would engulf it. In particular, those industries that depended on intellectual property would tend to be especially vulnerable. Reproduction costs for software, pharmaceuticals, or movies are trivial. In the language of economics, marginal costs are small and fixed costs are high. Without the legal protection of intellectual property rights, strong competition in such industries would mean certain bankruptcy. Consequently, monopoly in these sectors is essential, and monopoly is made possible by intellectual property rights protection.

#### The pharmaceutical industry plays a key role in capitalism.

**Attard 20’**

https://www.marxist.com/pandemics-profiteering-and-big-pharma-how-capitalism-plagues-public-health.htm

The majority of pharmaceutical R&D funding comes from the private sector, which accounted for 67 percent of a total $194.2bn invested in the US health sector in 2018, compared to 22 percent by federal bodies and 8 percent by academic and research institutes.[[10]](https://www.marxist.com/pandemics-profiteering-and-big-pharma-how-capitalism-plagues-public-health.htm" \l "_ftn10) Pharmaceutical companies use these high R&D costs as justification for boosting prices of older and generic drugs, to the point that essential medicines like insulin can cost $25 to $100 a vial in the States.[[11]](https://www.marxist.com/pandemics-profiteering-and-big-pharma-how-capitalism-plagues-public-health.htm" \l "_ftn11) In 2015, the president of Turing Pharmaceuticals, Martin Shkreli, caused a scandal by increasing the cost of Daraprim (a drug used in the treatment of AIDS-related conditions) from $13.50 to $750 per pill.[[12]](https://www.marxist.com/pandemics-profiteering-and-big-pharma-how-capitalism-plagues-public-health.htm" \l "_ftn12) Despite the excuse that such windfalls are reinvested in drug development, the vast majority of new medicines are produced by state-funded or subsidised research: including the new candidate vaccine for COVID-19.[[13]](https://www.marxist.com/pandemics-profiteering-and-big-pharma-how-capitalism-plagues-public-health.htm" \l "_ftn13) Rather than advancing medical research and innovation, private pharmaceutical companies mostly use their financial clout to amass patents on medicines developed with public money, flog derivatives of existing drugs at inflated prices and [churn out lifestyle drugs like viagra](https://www.marxist.com/capitalists-abandon-alzheimer-s-and-parkinson-s-research-for-a-cure-we-need-socialism.htm).[[14]](https://www.marxist.com/pandemics-profiteering-and-big-pharma-how-capitalism-plagues-public-health.htm" \l "_ftn14) By using these practices (and benefitting from a liberalisation of anti-monopoly laws in the 1990s), pharmaceuticals became the fastest-growing and highest-profit legitimate industry on earth by the turn of the millenium, raking in $1.2tn USD in 2018 alone.[[15]](https://www.marxist.com/pandemics-profiteering-and-big-pharma-how-capitalism-plagues-public-health.htm" \l "_ftn15)

#### Capitalism is unsustainable - the drive for profit will cause extinction.

**Parr 13’**

THE WRATH OF CAPITAL: Neoliberalism and Climate Change Politics, pp. 145-147, Adian Parr is Associate Professor of Philosophy and Environmental Studies at the University of Cincinnati, <http://www.jstor.org/stable/10.7312/parr15828>)

A quick snapshot of the twenty-first century so far: an economic meltdown; a frantic sell-off of public land to the energy business as President George W Bush exited the White House; a prolonged, costly, and unjustified war in Iraq; the Greek economy in ruins; an escalation of global food prices; bee colonies in global extinction; 925 million hungry reported in 2010; as of 2005, the world's five hundred richest individuals with a combined income greater than that of the poorest 416 million people, the richest 10 percent accounting for 54 percent of global income; a planet on the verge of boiling point; melting ice caps; increases in extreme weather conditions; and the list goes on and on and on.2 Sounds like a ticking time bomb, doesn't it? Well it is. It is shameful to think that massive die-outs of future generations will put to pale comparison the 6 million murdered during the Holocaust; the millions killed in two world wars; the genocides in the former Yugoslavia, Rwanda, and Darfur; the 1 million left homeless and the 316,000 killed by the 2010 earthquake in Haiti. The time has come to wake up to the warning signs.3 The real issue climate change poses is that we do not enjoy the luxury of incremental change anymore. We are in the last decade where we can do something about the situation. Paul Gilding, the former head of Greenpeace International and a core faculty member of Cambridge University's Programme for Sustainability, explains that "two degrees of warming is an inadequate goal and a plan for failure;' adding that "returning to below one degree of warming . . . is the solution to the problem:'4 Once we move higher than 2°C of warming, which is what is projected to occur by 2050, positive feedback mechanisms will begin to kick in, and then we will be at the point of no return. We therefore need to start thinking very differently right now. We do not see the crisis for what it is; we only see it as an isolated symptom that we need to make a few minor changes to deal with. This was the message that Venezuela's president Hugo Chavez delivered at the COP15 United Nations Climate Summit in Copenhagen on December 16, 2009, when he declared: "Let's talk about the cause. We should not avoid responsibilities, we should not avoid the depth of this problem. And I'll bring it up again, the cause of this disastrous panorama is the metabolic, destructive system of the capital and its model: capitalism.”5 The structural conditions in which we operate are advanced capitalism. Given this fact, a few adjustments here and there to that system are not enough to solve the problems that climate change and environmental degradation pose.6 Adaptability, modifications, and displacement, as I have consistently shown throughout this book, constitute the very essence of capitalism. Capitalism adapts without doing away with the threat. Under capitalism, one deals with threat not by challenging it, but by buying favors from it, as in voluntary carbon-offset schemes. In the process, one gives up on one's autonomy and reverts to being a child. Voluntarily offsetting a bit of carbon here and there, eating vegan, or recycling our waste, although well intended, are not solutions to the problem, but a symptom of the free market's ineffectiveness. By casting a scathing look at the neoliberal options on display, I have tried to show how all these options are ineffective. We are not buying indulgences because we have a choice; choices abound, and yet they all lead us down one path and through the golden gates of capitalist heaven. For these reasons, I have underscored everyone's implication in this structure – myself included. If anything, the book has been an act of outrage – outrage at the deceit and the double bind that the "choices" under capitalism present, for there is no choice when everything is expendable. There is nothing substantial about the future when all you can do is survive by facing the absence of your own future and by sharing strength, stamina, and courage with the people around you. All the rest is false hope. In many respects, writing this book has been an anxious exercise because I am fully aware that reducing the issues of environmental degradation and climate change to the domain of analysis can stave off the institution of useful solutions. But in my defense I would also like to propose that each and every one of us has certain skills that can contribute to making the solutions that we introduce in response to climate change and environmental degradation more effective and more realistic. In light of that view, I close with the Middle School Packet 98 following proposition, which I mean in the most optimistic sense possible: our politics must start from the point that after 2050 it may all be over.

#### AND - Capitalism is the foundation of all forms of oppression and justice/values are destroyed.

**Giroux 14**

Tikkun, Volume 29, Number 3, Summer 2014, Duke University Press “Neoliberalism’s War Against the Radical Imagination” project muse; accessed 7/20/15, Henry A Giroux holds the Network Chair Professorship at McMaster University in the English and Cultural Studies Department and a Distinguished Visiting Professorship at Ryerson University

Democracy is on life support in the United States. Throughout the social order, the forces of predatory capitalism are on the march. Their ideological and material traces are visible everywhere—in the dismantling of the welfare state, the increasing role of corporate money in politics, the assault on unions, the expansion of the corporate surveillance military state, widening inequalities in wealth and income, the defunding of higher education, the privatization of public education, and the war on women’s reproductive rights. As Marxist geographer David Harvey, political theorist Wendy Brown, and others have observed, neoliberalism’s permeation is achieved through various guises that collectively function to undercut public faith in the defining institutions of democracy. As market mentalities and moralities tighten their grip on all aspects of society, public institutions and public spheres are first downsized, then eradicated. When these important sites of democratic expression— from public universities to community health care centers—vanish, what follows is a serious erosion of the discourses of justice, equality, public values, and the common good. Moreover, as literary critic Stefan Collini has argued, under the regime of neoliberalism, the “social self” has been transformed into the “disembedded individual,” just as the notion of the university as a public good is now repudiated by the privatizing and atomistic values at the heart of a hyper-market-driven society. We live in a society that appears to embrace the vocabulary of “choice,” which is ultimately rooted in a denial of reality. In fact, most people experience daily an increasing limitation of choices, as they bear the heavy burden of massive inequality, social disparities, the irresponsible concentration of power in relatively few hands, a racist justice and penal system, the conversion of schools into detention centers, and a pervasive culture of violence and cruelty—all of which portends a growing machinery of social death, especially for those disadvantaged by a ruthless capitalist economy. Renowned economist Joseph Stiglitz is one of many public intellectuals who have repeatedly alerted Americans to the impending costs of gross social inequality. Inequality is not simply about disproportionate amounts of wealth and income in fewer hands, it is also about the monopolization of power by the financial and corporate elite. As power becomes global and is removed from local and nation-based politics, what is even more alarming is the sheer number of individuals and groups who are being defined by the free-floating class of ultra-rich and corporate powerbrokers as disposable, redundant, or a threat to the forces of concentrated power. Power, particularly the power of the largest corporations, has become less accountable, and the elusiveness of illegitimate power makes it difficult to recognize. Disposability has become the new measure of a neoliberal society in which the only value that matters is exchange value. Compassion, social responsibility, and justice are relegated to the dustbin of an older modernity that now is viewed as either quaint or a grim reminder of a socialist past. The Institutionalization of Injustice A regime of repression, corruption, and dispossession has become the organizing principle of society in which an ironic doubling takes place. Corporate bankers and powerbrokers trade with terrorists, bankrupt the economy, and commit all manner of crimes that affect millions, yet they go free. Meanwhile, across the United States, citizens are being criminalized for all sorts of behaviors ranging from dress code infractions in public schools to peaceful demonstrations in public parks. As Michelle Alexander has thoroughly documented in her book The New Jim Crow, young men and women of color are being jailed in record numbers for nonviolent offenses, underscoring how justice is on the side of the rich, wealthy, and powerful. And when the wealthy are actually convicted of crimes, they are rarely sent to prison, even though millions languish under a correctional system aimed at punishing immigrants, low-income whites, and poor minorities. An egregious example of how the justice system works in favor of the rich was recently on full display in Texas. Instead of being sent to prison, Ethan Couch, a wealthy teen who killed four people while driving inebriated, was given ten years of probation and ordered by the judge to attend a rehabilitation facility paid for by his parents. (His parents had previously offered to pay for an expensive rehabilitation facility that costs $450,000 a year.) The defense argued that he had “affluenza,” a “disease” that afflicts children of privilege who are allegedly never given the opportunity to learn how to be responsible. In other words, irresponsibility is now an acceptable hallmark of having wealth, enabling the rich actually to kill people and escape the reach of justice. Under such circumstances, “justice” becomes synonymous with privilege, as wealth and power dictate who benefits and who doesn’t by a system of law that enshrines lawlessness. In addition, moral and political outrage is no longer animated by the fearful consequences of an unjust society. Rather than fearing injustice at the hands of an authoritarian government, nearly all of us define our fears in reference to overcoming personal insecurities and anxieties. In this scenario, survival becomes more important than the quest for the good life. The American dream is no longer built on the possibility of social mobility or getting ahead. Instead, it has become for many a nightmare rooted in the desire to simply stay afloat and survive.