# 1NC

#### I negate, resolved: The member nations of the World Trade Organization ought to reduce intellectual property protections for medicines.

## 1 – Theory

#### Interpretation: debaters must disclose all constructive positions on open source on the page with their name and school on the 2021-2022 NCDA LD wiki with highlighting, tags, and cites after the round in which they read them.

#### Violation: they didn’t – see screenshots

#### A screenshot of a computer Description automatically generated

#### Standards:

#### [1] Resource disparities – stealing cards is good because it’s the only way to level the playing field for students such as novices in under-privileged programs.

Louden 10 – Allan D. Louden, professor of Communication at Wake Forest (“Navigating Opportunity: Policy Debate in the 21st Century” Wake Forest National Debate Conference. IDEA, 2010) https://www.americanforensicsassoc.org/wp-content/uploads/2021/02/Navigating-Opportunity-Book.pdf

Groups interested in engaging in competitive National Debate Tournament (NDT)-Cross Examination Debate Association (CEDA)-style policy debate are entering an exciting time in the debate community where **digital resources are making research and networking increasingly accessible**. Those developing programs should be encouraged to choose their own topics and resolutions, but they should also make use of the massive resources available by focusing on the official NDT-CEDA resolution. **New initiatives in the field of open-source debate make evidence sharing, such as the Open Caselist, a powerful tool for new programs to engage and compete against established teams**. It is no coincidence that **the winners of the NDT tend to be the schools with the largest coaching staffs, but the increased distribution and free sharing of evidence and resources have made smaller debate programs increasingly capable of competing against larger institutions**. We are now seeing the beginnings of **increased resource sharing**, with multiple initiatives focusing on regional evidence sharing for groups of developing debate programs. This **is one example of dramatic changes occurring in the community that are capable of opening the doors for new participation in debate**. Regardless of outside influence, such as an organized campaign by preexisting debate organizations to increase resource distribution, students are independently capable of establishing the foundations for a larger competitive program. The following suggestions are a nonlinear set of options available to students who wish to establish a structured and coached debate program, and eventually developing the capability to maintain multiple professional teaching positions, such as those discussed earlier in the chapter.

#### [2] Ev ethics – open source is the only way to verify pre-round that cards aren’t miscut or highlighted/bracketed unethically. That’s a voter – ethical ev practices are key to academics and we should be able to verify they didn’t cheat.

#### [3] Depth of clash – allows debaters to have nuanced objections at a faster rate, which leads to higher quality debates – outweighs because thinking on your feet is nonunique but the best quality responses come from full access to a case.

#### Voters:

#### Fairness: debate is a competitive activity that requires objective evaluation – side constraint to substantive debate.

#### Education: a) it’s the reason schools fund debate and b) it’s the only long-term benefit.

#### Paradigm issues:

#### DTD to deter future abuse and rectify time skew from reading theory.

#### No RVIs – a) illogical – you don’t win for being fair, and logic is a meta-constraint, b) good theory debaters will bait theory to win on the RVI, which causes abuse, c) chilling effect – makes debaters scared to call out real abuse because they’ll be out-teched on the RVI.

#### Competing interps – a) reasonability is arbitrary and requires judge intervention, b) collapses because brightlines concede an offense-defense paradigm.

## Framework

#### The standard is maximizing well-being, also known as utilitarianism. Prefer this for 3 reasons:

#### [1] No policy action is perfect in all respects, which makes maximizing the universal good of pleasure the only way to resolve tradeoffs between different people.

#### [2] Utilitarianism is uniquely good in the context of government action since they are only able to use generalities.

Goodin 90 Goodin, Robert, fellow in philosophy, Australian National Defense University, THE UTILITARIAN RESPONSE, 1990, p. 141-2 http://open-evidence.s3-website-us-east-1.amazonaws.com/files/Morality\_Starter\_Pack\_\_\_SDI\_2012.docx

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, [they] 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[s] public policy-makers to use the utilitarian calculus – assuming they want to use it at all – to choose general rules or conduct.

#### [3] Decision-making always takes place with positive endpoints as the focal consideration. For example, when I make arguments, it is because I believe doing so will allow me to achieve the endpoint of winning the round, meaning good consequences are intrinsic to taking action.

## 2 – CP

#### Bacteria become resistant to antibiotics because of overuse – extinction.

Davies 08 Julian Davies, professor of microbiology and immunology at the University of British Columbia, “Resistance redux: Infectious diseases, antibiotic resistance and the future of mankind,” 2008, EMBO, accessed 2 September 2021, [https://www.embopress.org/doi/full/10.1038/embor.2008.69 /](https://www.embopress.org/doi/full/10.1038/embor.2008.69%20/) ~ST~

For many years, antibiotic-resistant pathogens have been recognized as one of the main threats to human survival, as some experts predict a return to the pre-antibiotic era. So far, national efforts to exert strict control over the use of antibiotics have had limited success and it is not yet possible to achieve worldwide concerted action to reduce the growing threat of multi-resistant pathogens: there are too many parties involved. Furthermore, the problem has not yet really arrived on the radar screen of many physicians and clinicians, as antimicrobials still work most of the time—apart from the occasional news headline that yet another nasty superbug has emerged in the local hospital. Legislating the use of antibiotics for non-therapeutic applications and curtailing general public access to them is conceivable, but legislating the medical profession is an entirely different matter. In order to meet the growing problem of antibiotic resistance among pathogens, the discovery and development of new antibiotics and alternative treatments for infectious diseases, together with tools for rapid diagnosis that will ensure effective and appropriate use of existing antibiotics, are imperative. How the health services, pharmaceutical industry and academia respond in the coming years will determine the future of treating infectious diseases. This challenge is not to be underestimated: microbes are formidable adversaries and, despite our best efforts, continue to exact a toll on the human race.

#### Thus, the counterplan: The member nations of the World Trade Organization should reduce intellectual property protections for medicines that are not antibiotics.

#### The counterplan solves – patents avoid antibiotic resistance.

Horowitz and Moehring 04 John B. Horowitz, professor of economics at Ball State University, H. Brian Moehring, business economist, "How property rights and patents affect antibiotic resistance," 13 June 2004, National Center for Biotechnology Information, accessed 31 August 2021, pg. #577-578, sci-hub.se/10.1002/hec.85 / ~ST~

Ineffective antibiotics are most likely when there is open-access. In the case of antibiotics, open-access occurs when anyone can produce, sell, and use the antibiotic. In other words, no patents or licenses govern the production of the antibiotic and it is sold over the counter. Under these circumstances, producers would be unwilling to incur any cost to enhance the future efficacy of an antibiotic that had no property rights attached to it and thus was subject to open-access. The 14-year delay (1928– 1942) between the discovery and the production of penicillin may be attributed to the lack of property rights (patent protection) [1, p. 32–51]. Streptomycin and sulpha drugs got to market much faster partly because Merck and Company and I.G. Farben were secretive until they developed a patentable production process and financially benefitted from their discoveries.

The classic case of open-access is a fishery. Any fisherman leaving a fish in the water to grow larger is unlikely to catch it in the future. This leads fishermen to act as if they were unconcerned about future fish stocks and catch too many immature fish. A prominent reason for open-access in antibiotics is expired patents. This causes the price of antibiotic j to decrease and the quantity used to increase. This is depicted in Figure 1. When there is open access, since producers have no private future benefits to discount, the industry’s equilibrium output and price is where D=MC. Quantity is now Qt c and price is Pt c . There is no economic profit at Qt c because total revenue (TR) equals total costs (TC). With open-access, pharmaceutical companies have less incentive to research and develop new antibiotics.

Antibiotic resistance can be reduced by extending the duration of the patent on antibiotic j. Patents give the owners an incentive to protect the value of antibiotics by curtailing their usage. However, near the end of patent protection, pharmaceutical firms may have an incentive to overuse antibiotics to capture profits which will not be accessible in the future. Another end period problem, is that effectively using old antibiotics may forestall resistance to newer antibiotics. Unfortunately, once a drug goes off patent there is little financial incentive to study new areas of use.

One way to ameliorate this end period problem is to extend the effective life of antibiotic patents. Optimal antibiotic use is achieved by establishing an owner with incentives to consider the effect of contemporary use on future antibiotic resistance. Permanent patents would prevent inefficiently accelerated use of the antibiotic near the termination of the patent. In other words, prolonging the patent period would reduce the incentives to excessively discount future resistance.

## 3 – Bioterrorism DA

#### **Terrorists are becoming interested in manufacturing biological weapons due to the immense consequences of the COVID-19 pandemic, and will finally be able to succeed in their attempts because the world of the aff provides key intel that terrorists need.**

Pavel and Venkatram 21 Barry Pavel, senior vice president and director of the Scowcroft Center for Strategy and Security, former senior director for defense policy and strategy on the National Security Council, Vikram Venkatram, Young Global Professional in the Scowcroft Center for Strategy and Security, "Facing the future of bioterrorism," 7 September 2021, Atlantic Council, accessed 9 October 2021, <https://www.atlanticcouncil.org/commentary/article/facing-the-future-of-bioterrorism/> ~ST~

Biotechnology has developed at an astounding rate over the first twenty years of the twenty-first century. Emerging biotechnological tools have become cheaper and more accessible than ever before, and less expertise is necessary to use those tools effectively. Amateur biologists can now accomplish feats that would have been impossible until recently for even the foremost experts in top-of-the-line laboratories. The iGEM competition is a great example of this phenomenon in practice: a synthetic biology competition in which amateur scientists compete with one another to build biological systems and operate them within living cells. Similarly, CRISPR, a scientific technique that enables the manipulation of DNA and genetic engineering, can be used in the high-school classroom as an illustrative practical example of biology. There exists a new and growing community of “biohackers” who use novel biotechnology tools to modify their own bodies in a variety of ways. As biotechnologist Drew Endy at Stanford University put it, many years ago hackers would hack computer code, but now they are hacking the code for life.1 Thus, biotechnology capabilities are becoming democratized.

In general, this evolution of biotechnology will bring with it an amazing array of changes to our societies, our economies, and our security. The growing biotech revolution will have as great an impact on our way of life as the communications and information revolution. Chronic diseases will be mitigated, human life spans will be extended, and the global economy will be increasingly driven by biological inventions and processes. A new understanding of epigenetics could usher in an era of highly personalized medicine, and gene drives could wipe mosquito-borne diseases like malaria from the planet. One day, engineered living materials, built through synthetic biology, might grow to suit specific architectural needs and heal when faced with wear and tear. Neuroenhancement technology could optimize human performance: increasing learning speed, combatting neurological diseases, or even assisting soldiers by boosting their awareness and decision-making on the battleground. A new generation of scientists will build a suite of as-yet-undiscovered technologies, transforming the world in radical ways.

However, greater access to cheap but powerful biotechnology tools—and a reduced need for expertise in operating those tools—also is making it easier for malicious actors to utilize that technology for ill. Terrorist groups could use synthetic biology to craft bioweapons, using data to manufacture dangerous pathogens or modifying easily accessible pathogens to make them more virulent. At present, there are still some barriers to entry that prevent such actors from operating with free reign, as widespread access to certain pathogens, tools, and data is still limited. But these barriers will only continue to recede over the next decade. In evaluating the future of terrorism and counterterrorism, one must consider: How should the United States and its allies prepare to face the growing threat of bioterrorism?

Bioterrorism is not a new phenomenon, though past cases have been limited in scope. In the 1990s, a Japanese cult known as Aum Shinrikyo attempted to engineer an aerosolized strain of anthrax or, in other words, a strain of anthrax capable of infecting people through inhalation. The cult’s members were ultimately unsuccessful in their attempts to do so and resorted to releasing sarin gas (a chemical weapon, rather than a biological one) in Tokyo’s subway system on March 20, 1995, which killed thirteen people and sickened thousands of others. Their goal was to release an infectious pathogen in the hopes of causing an epidemic and stimulating a world war that would have allowed them to seize power. They were stymied by a lack of expertise—though cult members included former biologists and some with medical credentials.

A decade before, in Oregon, a cult known as the Rajneeshees spread salmonella in the hopes of incapacitating opposing candidates in local government elections. Cult members ultimately caused food poisoning in more than seven hundred and fifty people, marking the largest bioterrorism incident in US history. In 1998, al-Qaeda publicly declared its intent to pursue weapons of mass destruction, including bioweapons. The organization later conducted training courses on the use of such weapons and recruited biologists to help develop a bioweapons program. In the wake of the attacks on the United States on September 11, 2001, anthrax-laced letters were sent by mail, killing five people.

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As these cases illustrate, terrorists have already demonstrated a willingness to use biological weapons, without regard for the indiscriminate danger those weapons pose to the entire globe. As COVID-19 has shown, diseases can cross borders, particularly in the globalized world we live in today. A bioweapon released in Tokyo could spread across the world in short order, even if the initial attack is limited in scope (i.e., targeted at a specific group or starting with a relatively small volume of pathogen). These potential large-scale effects of attempted bioterrorism have been mitigated in the past by terrorists’ lack of expertise, and the inherent challenge of using biotechnology to make and release dangerous pathogens. Now, as people gain greater access to this technology and it becomes easier to use, the challenge is easing. Further, COVID-19 has shown that pandemics can have an extraordinary political impact, preying upon and worsening existing fractures in society and among nations. To terrorists, who conduct violence to achieve political aims, this reinforces the fact that a bioweapon could serve their purposes. Thus, incidents of bioterrorism soon will become more prevalent.

Given the broad scope and scale of this growing threat, the United States should take a series of actions to mitigate the risks, without unduly stunting the growth of the biotechnology field. To date, bioterrorist attacks have been low-risk, high-impact events. While they have been extremely rare, their frequency will only increase as will their ramifications. However, overregulating the spread of biotechnological tools could stunt innovation and the profound potential of this increasingly important sector. Furthermore, existing methods of preventing bioterrorism may no longer be effective. The government could previously monitor the purchase of expensive and dangerous biotechnology tools and the laboratories that owned them in large quantities. This is no longer possible to the same degree when such tools are increasingly cheap, widespread, and usable in a garage. The FBI is currently attempting to address this risk by building relationships with the iGEM community and with life scientists so that they can report suspicious behavior. These efforts should continue, but are wildly insufficient, since some bioterrorists may have minimal contact with the larger community of biologists and biology hobbyists.

The release of a bioweapon by a terrorist, if left unchecked, could spread throughout the globe, just as a naturally occurring pandemic would. Thus, one major step that the United States should take is to establish improved responses to disease outbreaks, particularly learning from COVID-19. This should include building a larger stockpile of PPE and establishing a set of clear step-by-step actions to be taken in the event of an attack. Building resilience in this fashion will not prevent bioterrorism, but it will mitigate its effects, and may slightly disincentivize utilizing bioweapons to cause terror. Beyond this, the United States should secure its laboratories and the data within, as terrorists could leverage that knowledge to build bioweapons. For example, new technology allows pathogens to be synthesized from the data describing their genetic sequences. In a recent controversial study, scientists published a methodology that would allow horsepox virus, a virus very similar to one that causes smallpox, to be synthesized. This research was conducted with a noble goal: understanding how the horsepox virus could be used as a potential treatment for cancer. However, it had significant dual-use implications. Research like this should not be banned outright, but the United States should establish norms to evaluate whether it is worth the risk before such research is conducted, and then ensure that it is conducted and the results published in the most secure ways. Replicability is an important part of science, but the general public should not be able to replicate the most dangerous experiments. Where building resilience would reduce the impact of a bioterror incident, restricting access to dual-use methodologies will reduce the likelihood of one occurring in the first place.