# 1NC Valley Round 4

## 1

I: The affirmative must explicitly delineate a comprehensive role of the ballot in the 1AC and 1) address the prefiat vs post fiat distinction 2) clarify the relevance of theory and 3) choose how to weigh between competing advocacies e.g. is the ballot determined by the flow, gut feelings, etc

1. Clash--if we don’t know the standard we don’t know how to evaluate the aff or what neg positions matter and the 1ar can re-clarify to delink everything forcing a 2nr restart giving you a 7-6 time advantage
2. Resolvability--absent an ROB the judge doesn’t know how to evaluate offense and has to endorse their own methods which is intervention--outweighs since all arguments presume you can resolve them. Having one in the 1AC is uniquely key, anything else changes the judge’s perception mid round which means arguments that might’ve seemed unimportant or underflowed can become a big deal

Cx doesn’t check

1. Prep skew - we were forced to prep a 1NC that hedges around the potential of you not speccing and had to prep multiple case negs
2. Incentivizes infinite abuse and hope you don’t get called out since its no risk if we ask you and you can strategically not meet then get extra time in cx to prep the shell since we asked. Independently key to inclusion since novices are especially susceptible to not asking
3. Non verifiable since judges don’t flow it
4. No brightline to what constitutes a check
5. Key to inclusion since novices might forget to ask and get crushed since you shifted

Fairness and education are voters – debate’s a game that needs rules to evaluate it and it teaches portable skills that we use lifelong. Drop the debater - severance kills 1NC strat construction—1AR restart favors aff since it’s 7-6 time skew and they get 2 speeches to my one. No rvi - a) they’ll bait theory and prep it out with aff infinite prep—justifies infinite abuse and chilling us from checking abuse in fear of things like 2ar ethos which lets them recontextualize and always seem right on the issue b) forces the NC to go 7 minutes of theory because nothing else matters--outweighs because its the longest speech and the 2nr can never recover since the nc is our only route to generate offense. Eval the debate after the 2nr since both of us get 2 speeches - most reciprocal. Competing interps - a) reasonability’s arbitrary & forces judge intervention especially with 2ar recontextualizations to always sound like the more reasonable debater b) norm setting - we find the best possible norms c) reasonability collapses - you use offense/defense paradigm to evaluate brightlines

## 2

**Climate Patents and Innovation high now and solving Warming but patent waivers set 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**.**

**Extinction**

**Schultz 16** (Robert Schultz [Retired Professor and Chair of Computer Information Systems at Woodbury University] “Modern Technology and Human Extinction,” <http://proceedings.informingscience.org/InSITE2016/InSITE16p131-145Schultz2307.pdf>) RW

There is consensus that there is a relatively short window to reduce carbon emissions before drastic effects occur. Recent credible projections of the result of lack of rapid drastic action is an average temperature increase of about 10o F by 2050. This change alone will be incredibly disruptive to all life, but will also cause great weather and climate change. For comparison purposes, a 10 degree (Fahrenheit) decrease was enough to cause an ice layer 4000 feet thick over Wisconsin (Co2gether, 2012). Recently relevant information has surfaced about a massive previous extinction. This is the Permian extinction, which happened 252 million years ago, during which 95% of all species on earth, both terrestrial and aquatic, vanished. The ocean temperature after almost all life had disappeared was 15 degrees (Fahrenheit) above current ocean temperatures. Recent information about the Permian extinction indicates it was caused by a rapid increase in land and ocean temperatures, caused by the sudden appearance of stupendous amounts of carbon in the form of greenhouse gases (Kolbert, 2014, pp. 102-144). The origin of the carbon in these enormous quantities is not yet known, but one possibility is the sudden release of methane gases stored in permafrost. This is also a possibility in our current situation. If so, extinction would be a natural side effect of human processes. There is also a real but smaller possibility of what is called “runaway greenhouse,” in which the earth’s temperature becomes like Venus’ surface temperature of 800o The threat of extinction here is not entirely sudden. The threat is, if anything, worse. Changes in the atmosphere--mainly increases in the concentration of greenhouse gases in the atmosphere-- can start processes that can’t be reversed but which take long periods of time to manifest. “Runaway greenhouse” may be the worst. Once again, suggestions of technological solutions to this situation should be treated with some skepticism. These proposals are often made by technophiles ignoring all the evidence that technology is very much subject to unanticipated side effects and unanticipated failures. What has happened concerning the depletion of the ozone layer should be a clear warning against the facile uses of technology through geoengineering to alter the makeup of the entire planet and its atmosphere. The complicating factor in assessing extinction likelihood from climate change is corporations, especially American fossil fuel corporations such as Exxon-Mobil and Shell. Through their contributions, they have been able to delay legislation ameliorating global warming and climate change. As mentioned before, recently released papers from Exxon-Mobil show that the corporation did accept the scientific findings about global warming and climate change. But they concluded that maintaining their profits was more important than acting to ameliorate climate change. Since it is not a matter of getting corporations to appreciate scientific facts, the chances of extinction from climate change are good. To ameliorate climate change, it is important to leave a high percentage of fossil fuel reserves in the ground. But this is exactly what a profit-seeking fossil fuel corporation cannot do. One can still hope that because fossil fuel corporations are made up of individuals, increasingly bad consequences of global warming and climate change will change their minds about profits. But because of the lag in effects, this mind change will probably be too late. So I conclude we will probably see something like the effects of the Permian extinction perhaps some time around 2050. (The Permian extinction was 95% extinction of all species.) This assumes the release of methane from the arctic will take place around then.

**Extinction outweighs - a] scope - affects every single person while they affect a subset b] turns structural violence - those with less resources are disproportionately unable to adapt c] reversibility - can solve their impact later but once we’re dead there’s no coming back d] can’t solve violence if dead e] magnitude - extinction kills not just current but also future generations and prevents them from experiencing pleasure which has infinite magnitude f] if you’re unsure, prioritize life to keep debating about it. Don’t allow for a consequentialism fails push - a] hard ethics aren’t impossible b] repugnant since it justifies people saying “i didn’t know my action would hurt marginalized groups oops” and c] if extinction outweighs, consequences is the best way to resolve it. Not defending implementation doesn’t take this out - if the WTO did something, we have won that it is bad - anything else excludes ground and the core of the topic**

## 3

**CP: The member nations of the World Trade Organization ought to reduce intellectual property protections for all medicines except for medicines created by indigenous folks, for which all ownership ought to be transferred to the indigenous communities that originally developed the medicine.**

Ngoc **Tang**, 3-24-**2020**, *Finance Major, CSULB 2021,* "The Importance of Native American Intellectual Property," California State University, Long Beach, <https://www.csulb.edu/college-of-business/legal-resource-center/article/the-importance-of-native-american-intellectual> //SR \*brackets in text\*

Native Americans are known for their distinctive cultures and special symbols. Protecting these cultures from being abused is difficult. In the article "Intellectual Property, Traditional Knowledge, and Traditional Cultural Expressions in Native American Tribal Codes,” author Dalindyebo Bafana Shabalala explains what is considered as Native American intellectual property and why it needs protection. According to Shabalala, Native American intellectual property includes traditional knowledge, traditional cultural expressions, and genetic resources (Shabalala par. 4). Traditional knowledge is skills, practices, and innovation concerning biodiversity, agriculture or health (par. 8). Various forms of art such as symbols, designs, painting, dance, music, literature, and performance are considered as cultural expressions (par. 10). Genetic resources include plants, seeds, and medicine formulas. There have been many cases where the Native American intellectual property has been used without first obtaining permission and authorization from the Native Americans. As mentioned in Shabalala’s article, Allergan, a pharmaceutical company, was using the Saint Regis Mohawk tribe’s formula to make their eye drop drug. However, that is not their original formula, so “on Friday, September 8, 2017, the pharmaceutical company” had to “[transfer] ownership of all federal U.S. patents for its Restasis drug to the Saint Regis Mohawk tribe; the tribe then licensed them back to the company” (par. 1). Another interesting case mentioned in the article is about the series Twilight ​​by author Stephanie Myers. The author of this book used the Quileute tribe’s origin story and incorporated it with the fictitious werewolf story without the permission of the tribe. Shabalala says that although the book or the movie “may have a valid copyright in the realm of federal property, the unauthorized use of the Quileute origin story may cause harm when outsiders begin viewing the unauthorized use of the cultural property as a true reflection of the source culture” (par. 11). These actions not only abuse the use of Native American intellectual property, but they also affect the images, the stories, and the cultures of the native people. With these cases of the property being misused, Shabalala raises a question of how the Native Americans protect their cultural properties and how the current federal law acts in protecting these properties. Each Native American tribe has its own laws and rules; these laws and rules are called tribal codes. In his study of a hundred tribal codes, Shabalala shows that there are only nine codes mentioned about intellectual property or something related to intellectual property. This study demonstrates that the native people are unaware in protecting their cultural property. The native people are unaware because they do not know or think that other people would use these properties for their own purposes. However, the current federal laws are not providing enough protection for Native American intellectual property. Shabalala mentions the Trademark Law Treaty Implementation Act (TLTIA) and the Indian Arts and Crafts Act (IACA). The purpose of the TLTIA is “to provide international uniformity of trademark registration’ (par. 77); however, “the Congressional Record regarding TLTIA is absent of any authority or mention of providing protection to Native American tribes” (par. 83). The purpose of the IACA is to prevent fraud in the Indian arts and crafts market. However, according to Shabalala’s research, “the IACA trademark system does not provide sufficiently, and arguably any, protection for Native American tribes' cultural property, nor was it ever intended to” (par. 46). Another act is the Native American Graves Protection and Repatriation Act (NAGPRA), an act with the purpose to provide “protection, return, and repatriation of Native American remains and artifacts found on federal or tribal lands” (par. 66). However, according to the article “An Analysis of the Lack of Protection for Intangible Tribal Cultural Property in the Digital Age,” author Chante Westmoreland states that the NAGPRA did “offer some protection for the tangible cultural property but omit protection for the sacred traditional knowledge the object conveys” (Westmoreland par. 10). There are many acts that try to provide protection concerning intellectual property, but they do not provide enough protection for the Native American intellectual property including traditional property, traditional cultural expressions, and genetic resources. According to the article called “Group Right to Cultural Survival: Intellectual Property Rights in Native American Cultural Symbols,” Terence Dougherty states that, “Intellectual property law in the context of cultural appropriation is particularly relevant to many Native Americans” (Dougherty par. 44). Dougherty also explains that with the significant misuse of the native symbols, cultural appropriation can greatly affect the cultural survival of the native people. Furthermore, in Westmoreland’s article, he states that “sacred traditional knowledge is not merely information, it is essential to the tribal way of life” (par. 9). This demonstrates that the intellectual property of the Native Americans is extremely important to them in their living and their culture. Therefore, to avoid the misuse that can cause a negative impact on the native people, anyone who wants to use the property must have authorization from the native people. Moreover, the federal government needs to provide a law that specifically protects Native American traditional knowledge, traditional cultural expressions, and genetic resources.

**The CP gives indigenous nations resources for self sovereignty and centers discussions around native demands, which better allows for the accessibility of those medicines**

Simon **Brascoupé and** Karin **Endemann**, Fall **1999**, INTELLECTUAL PROPERTY AND ABORIGINAL PEOPLE: A WORKING PAPER <https://www.wipo.int/export/sites/www/tk/en/databases/creative_heritage/docs/ip_aboriginal_people.pdf> //SR

Traditional Knowledge and Intellectual Property The Aboriginal legacy of traditional knowledge comes in two distinct forms. On one hand, an Aboriginal community is the custodian of a store of sacred knowledge, including ceremonies, symbols, and masks that is increasingly open to unauthorized commercial exploitation by individuals, companies or institutions. Some Aboriginal people contend it is not appropriate to use IP law to protect sacred traditional knowledge. On the other hand, many products and services associated with traditional lifestyles of Aboriginal people may have commercial value that could help to support the continuation of these lifestyles and the Aboriginal goal of self-sufficiency. The limited Aboriginal use of Canada’s current IP laws suggests that these laws may not be particularly well suited to protecting either of these forms of traditional knowledge. A distinction must be made between traditional knowledge held by an Aboriginal community and the innovations or new creations of an individual or an Aboriginal company. New products and works of art by Aboriginal inventors and artists qualify for protection under existing IP laws. Music, songs, dance, stories, designs and symbols are passed on in many Aboriginal communities from memory and by word of mouth. Each community is both a conveyer and a user of traditional knowledge. This knowledge is dynamic and evolves with the culture, so it is the product of a continuing creative process. Many Aboriginal artists and artisans create works inspired by the traditional knowledge of their community, and use copyright law extensively. Issues that are not addressed widely are: how Aboriginal people relate to their community in the context of the traditional and dynamic aspects of traditional knowledge; and how traditional knowledge itself can be effectively protected. Protecting Traditional Knowledge Within an Aboriginal Community Few legal mechanisms exist to help indigenous communities protect and preserve traditional knowledge. It is urgent that such mechanisms be developed, because of the increasing pace at which control of traditional knowledge is being lost due to misappropriation and pressures from the non-indigenous world. In the meantime, the use of existing legal tools can be part of a “web” of strategies to help Aboriginal communities better protect and control their traditional knowledge, and ensure benefits are shared in a way that meets community needs. These strategies could include: ! developing local mechanisms within communities to control and protect traditional knowledge; ! more effective use of contractual arrangements to recognize traditional customs and knowledge; ! developing guidelines to ensure that third parties secure proper and informed consent before an Aboriginal community shares traditional knowledge; and ! using existing IP laws. Many Aboriginal people have said that they need to consider how they share and protect traditional knowledge within their communities before deciding whether and how they will share this knowledge with others. Once a community identifies its traditional knowledge and adopts community-based measures governing the use of this knowledge, then the community will be more secure in its ownership and more effective in any negotiations to share its knowledge. It is important that Aboriginal communities develop a strategy to protect traditional knowledge. This will help them avoid losing control over this knowledge to third parties seeking academic advancement or commercial gain. Public disclosure of traditional knowledge has the potential to jeopardize an Aboriginal community’s ability to obtain protection under Canada’s IP laws. This is because knowledge that is disclosed may no longer qualify for IP protection because it is in the public domain. Aboriginal communities considering these issues should identify the scope and nature of traditional knowledge in their community. Part of this process is to identify what knowledge is most important to the community, and how the preservation of traditional knowledge and practices is at risk. Is traditional knowledge being lost because elders have been unable to pass their wisdom to the next generation? Is knowledge being lost because Aboriginal people are being displaced from their traditional environment or because they are influenced by outside media and culture? Has traditional knowledge been allowed into the public domain or been misappropriated by commercial or scientific interests from outside the Aboriginal community? Some Aboriginal people have identified a need for dialogue about traditional ways of sharing and preserving traditional knowledge. What are the obligations of individuals to their community when they use or share traditional knowledge? These issues are just beginning to be discussed within Aboriginal communities and First Nations, at the federal level in Canada, and internationally among indigenous peoples and within international organizations. It is also important for Aboriginal communities to consider what traditional knowledge is sacred and what knowledge may be shared with others or used commercially. Only after a full dialogue will these communities be in a position to determine the best mechanisms to control access to their traditional knowledge, and what knowledge they want to share with others. A number of approaches will be needed to reflect the varied nature and use of the community’s traditional knowledge. One option may be for Aboriginal communities to develop guidelines to prevent unwanted disclosure, and to ensure that traditional knowledge remains within the community. The process of developing guidelines will help ensure that the entire community is consulted in decisions concerning the protection of traditional knowledge and control over its commercialization. These guidelines would need to be enforced by the community, since an Aboriginal community may not have any recourse to the courts if one of its members violates the guidelines. Community guidelines might include policies on the publication of traditional knowledge, its use by others or the use of the community’s symbols. Aboriginal communities may also want to ensure that sharing traditional knowledge within the community continues, and is not restricted more than it was traditionally.

## 4

**विश्व व्यापार संगठन के सदस्य देशों को दवाओं के लिए बौद्धिक संपदा सुरक्षा को कम करना चाहिए**

**To Clarify, the CP does the aff in Hindi. It does not mean only hindi is accepted, rather there should be a diversity in language usage that’s not just english**

**The normalization of normative English leads to an in-group/out-group that drive racial violence**

**Rosa et al 17** Rosa, Jonathan, and Nelson Flores. "Unsettling race and language: Toward a raciolinguistic perspective." Language in society 46.5 (2017): 621-647. (Assistant Professor of Anthropology and Linguistics and Associate Professor in the Educational Linguistics Division)//Elmer

Similar to Bucholtz & Hall's (2005) approach to identity and interaction, we are interested in how processes of raciolinguistic enregisterment emblematize particular linguistic features as authentic signs of racialized models of personhood. This is found not only in sociolinguistic accounts of the features that compose categories such as ‘African American English’ (Green 2002) or ‘Chicano English’ (Fought 2003), but also popular stereotypes and modes of linguistic appropriation such as ‘Mock Spanish’ (Hill 2008), ‘Mock Asian’ (Chun 2004), ‘Hollywood Injun English’ (Meek 2006), and ‘linguistic minstrelsy’ (Bucholtz & Lopez 2011). In each of these cases, minute features of language, including grammatical forms, prosodic patterns, and morphological particles, are emblematized as sets of signs that correspond to racial categories. Crucially, as Meek (2006) demonstrates, these forms need not correspond to empirically verifiable linguistic practices in order to undergo racial emblematization. Moreover, as Lo & Reyes (2009) point out, the imagination of groups such as Asian Americans as lacking a distinctive racialized variety of English analogous to African American English or Chicano English, must be interrogated based on the racial logics that organize stereotypes about and societal positions of different racial groups on the one hand, and perceptions of their language practices on the other. Specifically, Lo & Reyes argue that racial ideologies constructing Asian Americans as model minorities who approximate whiteness are linked to language ideologies constructing Asian Americans as lacking a racially distinctive variety of English. In related work, Chun (2016:81) shows how emblematized Mock Asian forms such as ‘ching-chong’ are located across ‘the important boundary between ‘Oriental talk’ and English’, which sustains Asian Americans alternately as model minorities and forever foreigners. Thus, we must carefully reconsider seemingly ‘distinctive’ and ‘nondistinctive’ language varieties alike, by analyzing the logics that position particular racial groups and linguistic forms in relation to one another. That is, no language variety is objectively distinctive or nondistinctive, but rather comes to be enregistered as such in particular historical, political, and economic circumstances.

**The performance of the 1NC is a form of Code Switching that disrupts English-centered discourses**

**Duan**, Carlina. " The Space Between: An analysis of code-switching within Asian American poetry as strategic poetic device"(English Honors) AND" Here I Go, Torching"(Creative Writing Honors). Diss. 2015. (BA in Honors English from the University of Michigan)//Elmer

In an interview with Women’s Review of Books literary magazine, Hong further discussed the strategic role of translation as a form of linguistic activism within her poetic work. When asked why she does not include translations from Korean to English within her own poetry, Hong said: “I wanted to open up these schisms, to emphasize that memory, the filtering of human experience into poetry, is often fractured and not transparent, especially experiences which have always been bisected and undercut by two languages.” She added, “I think I want to debunk the idea of easy translation—whether it be the idea of literal translation or, as I said before, the translating of one’s experience into poetry” (Hong 2002a, 15). Hong’s intentional decision to leave out English translations in her poetry creates a power dynamic between speaker and reader of the poem. Not only are “easy” translations dismantled and withheld from the reader, but, according to Hong, codeswitching — without translation — also more accurately reflects her personal experiences of cultural and linguistic movement. Hong points out that human experiences and the world of memory, especially for bilingual speakers, are “not transparent” — not captured neatly by one language, but rather, “bisected” by the complexities of belonging to two (or more) languages, implying a movement between multiple spaces. Scholars describe poetic code-switching in this way as a navigation of power. Literary scholar Benzi Zhang argues that code-switching makes apparent different levels of cultural knowledge for speaker and reader: “[T]he insertion of […] foreign words effectively renders Asian sensibilities into English and signifies different positions of cultural agency” (Zhang 131). Building upon this idea of cultural agency, I argue that Hong uses Korean to consciously expose themes of exoticism and racial stereotyping that readers themselves may be (consciously or unconsciously) participating in. As a result, Hong creates agency for her speaker through critiquing culturally appropriative behavior, in addition to an agency in knowledge; Hong’s speaker can access cultural understanding that her readers do not have. Yet, Hong does more than negotiate questions of audience access; she uses code-switching to reflect her speaker’s lived experiences of Korean-American identity, grappling with multiple languages and cultural codes. In “An Introduction to Chinese-American and Japanese American Literatures,” Jeffrey Chan et al. writes, “The minority experience does not yield itself to accurate or complete expression on the white man’s language” (qtd. Zhang 137). As Chang et al. suggest, code-switching embeds itself as a natural part of the “minority experience,” and is documented as such in Hong’s poems. Thus, the poems not only act as social critique of exoticization, but further inhabit the embodied experiences of Korean-American female identities living in the U.S. — which, as Hong reveals, are complicated experiences of rage, agency, celebration, and shifting power dynamics. Critics who have reviewed Hong’s work, such as Jan Clausen, have raised questions about the effect of Hong’s play with translation. Clausen, in a review titled “The poetics of estrangement,” published through the Women’s Review of Books, writes of Hong’s collection Translating Mo’um: “Hong deftly dismantles the romance of language as homeland, with results especially unnerving for the non-Korean-speaking reader” (Clausen 15). According to Clausen, Hong’s work with code-switching subverts traditional notions of the ‘native tongue’ as representative of “homeland,” dismantling what a reader may expect of a Korean American author: that she use Korean language to specifically discuss her ethnic culture as a hyphenated American. In other words, Hong’s code-switches function as intentional poetic protest against the reader’s expectations of the relationship between multilingual text and ethnic identity. As Clausen points out, such readings may anticipate that mother tongue is only introduced to speak about cultural difference or history, rather than used additionally as formal poetic device. In this chapter, I reveal Hong’s awareness of Korean language and code-switching as tools in identity-construction. Rather than allow others to shape her identity for her, she remains dominant in shaping her identity — and her agency — for herself.

## 5

**Interpretation: The affirmative must only defend that one member nation of the WTO ought to reduce intellectual property protections for medicines**

1. **Real World - decisionmakers can only choose from options open to them - an Israeli policymaker can’t control what India does.**
2. **Clash - each country has different politics that can’t be generalized which requires looking on the in depth particularities of individual actors for more nuanced discussions of them - outweighs breadth since different rounds and out of round research expose us to different topics but clash is unique to the process of debating. Outweighs under their ROB too--indigenous life is different in every country - you can’t just homogenize it on a global scale**
3. **Shiftiness - you’ll just shift advocacies throughout the round since you’ll just extend any actor I undercovered which also makes the debate irresolvable since we’ll just go for different actors so there’s no clash. Turns the aff since we never have stable discussions on setcol**