

Contention 1- Harms

[HRC] HIV disproportionately affects queer people

HRC 2017 (The Human Rights Campaign, February 2017, How HIV Impacts LGBTQ+

People, <https://www.hrc.org/resources/hrc-issue-brief-hiv-aids-and-the-lgbt-community>) SJ

***PLWH = people living with HIV

According to the [U.S. Centers for Disease Control and Prevention](#) (CDC), there are 1.2 million people living with HIV (PLWH) in the United States, and approximately 40,000 people were diagnosed with HIV in 2015 alone. While the annual number of new diagnoses fell by 19% between 2005 and 2014, progress has been uneven. For example, **gay and bisexual men made up an estimated 2% of the U.S. population in 2013 but 55% of all PLWH in the United States. If current diagnosis rates continue, 1 in 6 gay and bisexual men will be diagnosed with HIV in their lifetime.** For Latino and Black men who have sex with men, the rates are 1 in 4 and 1 in 2, respectively. **Transgender people have also been hit especially hard by the epidemic** despite comprising a similarly small percentage of the U.S. population. **While better data is needed to understand the full impact of HIV on the transgender community, one international analysis found that transgender women in certain communities have 49 times the odds of living with HIV than the general population.** Although HIV prevalence among transgender men is relatively low (0-3%) [according to the CDC](#), some data suggest transgender men may still yet be at elevated risk for HIV acquisition.

[Pellowski 14] HIV hurts people of color and poor people

Pellowski Kalichman et al 14 (Jennifer Pellowski, Seth Kalichman, Karen Mathews, and Nancy Adler, May 1st, 2014, "A pandemic of the poor: social disadvantage and the U.S. HIV epidemic", NCBI, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3700367/>) SJ

Poverty, discrimination, inequality and other social conditions facilitate HIV transmission by influencing local HIV prevalence as well as an individual's risk behaviors. For example, substance use can both reduce the likelihood that a person will take protective actions, such as using condoms, and substance use can stimulate HIV replication and therefore increases infectiousness ([Kapadia, Vlahov, Donahoe, & Friedland, 2005](#)). Relationship instability caused by economic stress, stigma, discrimination, domestic violence, migration, and incarceration also contribute to sexual partner mixing patterns that foster HIV transmission. Access to health care offers the potential to alleviate multiple sources of HIV transmission risk by reducing infectiousness through antiretroviral therapy and decreasing susceptibility through mental health, substance use, and STI treatment. Each year, since the late 1990s, an estimated 56,000 Americans have become infected with HIV. **The U.S. HIV epidemic disproportionately affects men who have sex with men (MSM) and ethnic and racial minorities.** The group consistently at greatest risk for HIV infection represents the intersection of sexual orientation and racial disparities; **MSM are by far the most HIV affected Americans and African American MSM are at six times the risk for HIV than white MSM (CDC, 2011d).** **AIDS is the third leading cause of death among Black men and women between ages 35 and 44, and the fourth leading cause of death among Latinos of the same age group.** AIDS remains a mostly urban disease in the United States, with nearly half of all people living with AIDS residing in ten metropolitan areas. Furthermore, different ethnic groups account for the preponderance of AIDS cases in the ten metropolitan areas, e.g. Puerto Ricans in New York City, Haitians in Miami. There are HIV infection sub-epidemics also occurring throughout southern sub-urban and rural America.

[Avert 19] The HIV epidemic reinforces homophobia

Avert 2019 (Avert, 10 October 2019, "Homophobia and

HIV", <https://www.avert.org/professionals/hiv-social-issues/homophobia>) SJ

Homophobia continues to be a major barrier to ending the global AIDS epidemic. **The global HIV epidemic has always been closely linked with negative attitudes towards LGBT people, especially men who have sex with men (sometimes referred to as MSM);** a group that is particularly affected by HIV and AIDS. **At the beginning of HIV epidemic, in many countries gay men and**

other men who have sex with men were frequently singled out for abuse as they were seen to be responsible for the transmission of HIV. Sensational reporting in the press, which became increasingly homophobic, fuelled this view. Headlines such as “Alert over ‘gay plague’”,² and “‘Gay plague’ may lead to blood ban on homosexuals”³ demonised the LGBT community. LGBT people face specific challenges and barriers, including violence, human right violations, stigma and discrimination. Criminalisation of same-sex relationships, cross-dressing, sodomy and ‘gender impersonation’ feeds into social homophobia — everyday instances of discrimination – and both factors prevent LGBT people from accessing vital HIV prevention, testing, and treatment and care services.⁴ As a result, some LGBT people are unknowingly living with HIV or being diagnosed late when HIV is harder to treat.⁵ Moreover, research has shown that men who have sex with men may exhibit less health-seeking behaviour and have greater levels of depression, anxiety and substance misuse because of stigma they face.⁶ For example, a study published in 2016 on men who have sex with men in China found that depression experienced by Chinese men who have sex with men due to community norms and feelings of self-stigma around homosexuality directly affected HIV testing uptake.⁷

[Sultso 01] The WTO’s intellectual property protections are the cause for higher medicine costs

Sultso 01 (Sir John Sulston, February, 2001, “Patent Injustice: How World Trade Rules Threaten the Health of Poor People”, Co-founder of the Human Genome Project, Institute for Agriculture and Trade Policy, [https://www.iatp.org/sites/default/files/Cut the Cost - Patent Injustice How World Trad.htm](https://www.iatp.org/sites/default/files/Cut%20the%20Cost%20-%20Patent%20Injustice%20How%20World%20Trad.htm)) SJ

Oxfam’s briefing paper shows how new global patent rules, introduced by the World Trade Organisation, will raise the costs of vital medicines, with potentially disastrous implications for poor countries. In brief, these rules require all countries to provide patent protection for a minimum of 20 years for inventions in all fields of technology, including medicines. As the report points out, in the pharmaceutical sector the winners will be the large northern-based transnational companies which, as a result of the lengthened patent protection provided by WTO rules, will be able to sell their new medicines at higher prices. The losers are likely to be the millions of people who will be unable to afford vital new medicines, and hard-pressed government health services. This situation will undermine efforts to increase productivity and eradicate poverty, and will result in a widening of the gap between rich and poor nations. Patents have an important role to play in stimulating investment and innovation. But any patent system has to balance the need to reward inventors with the greater public interest for people to benefit from new inventions. Oxfam’s paper makes a compelling case that current WTO rules, as a result of corporate lobbying, sacrifice public health for private profit. It also points out the extraordinary anomaly whereby the WTO, an organisation charged with developing rules for ‘free trade’, is providing a legal framework for the development of corporate monopolies. I hope this report will convince governments and companies of the urgent need to review and revise global patent rules in order to prevent adverse impact on health and development. While the full effects of WTO patent rules may not be seen for some time, this report shows that there is enough evidence to warrant action now.

[Frontline Aids 19] Intellectual Property Protections make HIV treatments expensive and inaccessible

Frontline Aids 2019 (Frontline Aids, October 2nd, 2019, HOW PATENTS AFFECT ACCESS TO HIV TREATMENT, <https://frontlineaids.org/how-patents-affect-access-to-hiv-treatment/>) SJ

Frontline AIDS and the International Treatment Preparedness Coalition (ITPC) have released a joint report looking at one of these crucial barriers – the problem with patents in middle-income countries (MICs). In 2019, people aren’t dying because the drugs for treating HIV, MDR-TB, hepatitis C and many other diseases don’t exist. People are dying because they can’t access them. With an increasing focus on voluntary mechanisms to provide access to medicines, the problem with patents in MICs is being seriously over-looked, as are the legitimate tools that governments can use to increase access and availability and decrease prices. The use of legal mechanisms like TRIPS flexibilities by governments has proven highly effective; in the use of these legal tools, governments, global health agencies and civil society all have an essential role to play. It will not be possible to achieve a sustainable response to HIV without tackling intellectual property (IP) barriers, particularly in MICs. One of the most critical barriers that has existed since treatment for HIV was first approved relates to patents. Patenting of medicines has increased considerably since 2005. More worrying is the trend of ‘evergreening’ patents. Evergreening is a tactic used by pharmaceutical companies to

extend their exclusivity over a medicine by applying for, and usually getting, multiple, overlapping patents on a single medicine. Most medicines are covered by several patents, known as patent 'thickets' and are used to delay or complicate generic production. Over-pricing as a result of unmerited and extended monopolies puts a huge strain on health budgets. While in theory a government may commit to universal access, in reality the budget may not stretch. Prices for HIV treatment can vary from under \$100 to tens of thousands of dollars per person per year (pppy) – for the same drug. Take dolutegravir (DTG) for example. In July 2019, the World Health Organization (WHO) recommended all countries immediately adopt DTG-based regimens as the preferred first-line treatment for HIV. Prices pppy range from \$75 for countries that are in a 'voluntary license', up to \$9656 for those that are not.

[Rubenstein 18] Oppression causes physical violence – extinction is already happening to the most vulnerable

Rubenstein 2018 (Richard Rubenstein, "Responsibility for Peacemaking in the Context of Structural Violence," International Journal on Responsibility, Vol. I Issue 1.2 (May)

2018, <https://commons.lib.jmu.edu/cgi/viewcontent.cgi?article=1019&context=ijr>) //neth

Within these nested systems, Galtung points out, structural violence and direct violence "crossbreed." Repressive structures generate rebellion, crime, and self-destructive behaviors such as suicide and substance abuse, while rebellious acts incubate repressive institutions and punitive norms. To illustrate how this crossbreeding occurs, the theorist introduces a third element of the conflict triangle, cultural violence, defined as "those aspects of culture . . . that can be used to justify or legitimize direct or structural violence." 14 The cultural products that he considers especially potent in this regard are religion, ideology, language, art, science, and cosmology, although he might also have noted the peculiar importance in today's world of narrative forms, including the graphic arts (films, videogames, images and stories shared on social media), as well as the subconscious imagery explored by psychoanalysts like Freud, Jung, and Lacan. Like Pierre Bourdieu, who sees "symbolic violence" as authority's most effective tool, Galtung stresses the extent to which cultural conditioning maintains the oppressive structures that end by provoking and delivering violence: The culture preaches, teaches, admonishes, eggs on, and dulls us into seeing exploitation and/or repression as normal and natural, or into not seeing them (particularly not exploitation) at all. Then come the eruptions, the efforts to use direct violence to get out of the structural iron cage . . . and counter-violence to keep the cage intact. 15 Other commentators, noting that cultural ideas and practices tend to lag behind changes in the system of production, consider deep-rooted socioeconomic shifts the primary causal factor. 16 But the causes can flow in any direction once the triangle – an integrated violent system – has been established. Moreover, Galtung's theory points to the fact that the generation and crossbreeding of violent conflict can take place in a wide variety of social systems. The family, school, workplace, religious community, nation, and empire – all can become sites and producers of direct, structural, and cultural violence. This is especially likely to happen under certain conditions, which will be described differently, of course, by those challenging the system and those defending it. What are those conditions? And, what sorts of violent system do they produce?

[HRW 18] Anti HIV medication legislation is due to anti queer sentiment

Human Rights Watch 18 (HRW, July 1, 2018, "Indonesia: Anti-LGBT Crackdown Fuels Health Crisis", <https://www.hrw.org/news/2018/07/01/indonesia-anti-lgbt-crackdown-fuels-health-crisis#>) SJ

Indonesian authorities are fueling an HIV epidemic through complicity in discrimination against lesbian, gay, bisexual, and transgender (LGBT) people. The government's failure to halt arbitrary and unlawful raids by police and militant Islamists on private LGBT gatherings has effectively derailed public health outreach efforts to vulnerable populations. The 70-page report, "'Scared in Public and Now No Privacy': Human Rights and Public Health Impacts of Indonesia's Anti-LGBT Moral Panic," documents how hateful rhetoric has translated into unlawful action by Indonesian authorities – sometimes in collaboration with militant Islamist groups – against people presumed to be LGBT. Based on in-depth interviews with victims and witnesses, health workers, and activists, this report updates a Human Rights Watch August 2016 report that documented the sharp rise in anti-LGBT attacks and rhetoric in Indonesia that began that year. It examines major incidents between November 2016 and June 2018, and the far-reaching impact of this anti-LGBT "moral panic" on the lives of sexual and gender minorities and the serious consequences

for public health in the country. “The Indonesian government’s failure to address anti-LGBT moral panic is having dire consequences for public health,” said Kyle Knight, LGBT rights researcher at Human Rights Watch and author of the report. “The Indonesian government should recognize that its role in abuses against LGBT people is seriously compromising the country’s response to HIV.” Beginning in early 2016, politicians, government officials, and state offices issued anti-LGBT statements – calling for everything from criminalization to “cures” for homosexuality, to censorship of information related to LGBT individuals and positive reporting on their activities. The government’s response to the country’s HIV epidemic in recent decades has helped slow the number of new infections. However, widespread stigma and discrimination against populations at risk of HIV, as well as people living with HIV, has discouraged some HIV-vulnerable populations from accessing prevention and treatment services. As a result, HIV rates among men who have sex with men (MSM) have increased five-fold since 2007 from 5 percent to 25 percent. And while the majority of new HIV infections in Indonesia occur through heterosexual transmission, one-third of new infections occur in MSM. The anti-LGBT moral panic and unlawful police raids have made public health outreach to the most at-risk populations far more difficult making wider spread of the virus more likely, Human Rights Watch said.

Contention 2- Framing

Thus we affirm that the member nations of the World Trade Organization ought to reduce intellectual property protections for medications that are used to treat and manage HIV.

[Damante 16] The role of the judge is to promote queer inclusion in educational spaces

Damante 2016 (Rebecca Damante, June 16, 2016, “Can Education Reduce Prejudice against LGBT People?”, The Century Foundation, graduated from Smith College with a B.A. in the Study of Women and Gender. She worked as an LGBTQ Opposition Researcher at Media Matters for America in Washington D.C., <https://tcf.org/content/commentary/can-education-reduce-prejudice-lgbt-people/?agreed=1>) SJ

Incorporating LGBT people, history, and issues in schools’ curricula could combat the widespread homophobia prevalent throughout the United States. In an ideal world, laws like those in North Carolina and Tennessee would be deemed unconstitutional, and people would not violently target those in the LGBT community. However, even the strictest gun control policies and largest campaigns to ban these laws doesn’t erase the problem at hand: intense homophobia exists in our country. Ensuring that information on the LGBT community is provided to the public during the developing years of their lives can begin to address this issue. There are many notable LGBT people that can be included in school curricula across a variety of fields such as Harvey Milk, Sylvia Rivera, Michel Foucault, Audre Lord, and Bayard Rustin; as well as notable media and sports icons like Anderson Cooper, Ellen DeGeneres, Jason Collins, Lady GaGa, and Laverne Cox. Talking about these individuals’ contributions to society, as well as the battles faced by the LGBT community as a whole, could open people’s minds to LGBT issues. While including LGBT content in schools is beneficial for students, the way in which this content is presented is just as important, if not more. Going forward, teachers can adopt an anti-bias lens, a form of social-emotional learning that respects diversity and challenges sexism, racism, ableism, classism, and other societal prejudices. This means educating students about the history of heterosexism, and encouraging these students to speak out in support of the LGBT community. Some states have already begun to include LGBT history in their curricula. In 2011, for example, California passed the Fair Education Act, which requires schools to teach some aspect of LGBT history, and the results were astounding. Both LGBT and non-LGBT students reported feeling safer in their classrooms when LGBT issues were included in the curriculum.

[Damante 16] Therefore discussing queer issues in the debate space is important for spillover into material change and makes the debate space more inclusive. The role of the ballot is to endorse the debater who performatively creates the best impacts for queer people.

Damante 2016 (Rebecca Damante, June 16, 2016, “Can Education Reduce Prejudice against LGBT People?”, The Century Foundation, graduated from Smith College with a B.A. in the Study of Women and Gender. She worked as an LGBTQ Opposition Researcher at Media Matters for America in Washington D.C., <https://tcf.org/content/commentary/can-education-reduce-prejudice-lgbt-people/?agreed=1>) SJ

Ensuring that these instances of anti-LGBT violence and discrimination do not continue to repeat themselves may require society to turn to one of its oldest tools: education. [Reports from GLAAD have found](#) that **increased knowledge about LGBT people leads to lower levels of discomfort toward this community, and thus can reduce anti-LGBT discrimination**. Yet, there is a lack of education across the nation on this sector of the population, with [only one state](#)—California—mandating the implementation of LGBT figures and history into school curricula. Taking that into consideration, one can’t help but wonder: what would have happened if state lawmakers or the Orlando shooter had received more education about LGBT people? **As the American public learns more about the LGBT community, this can foster LGBT acceptance**. LGBT education can be fulfilled in a variety of ways, including getting to know a family member who is gay or a friend that is transgender; it can also include consuming media that features LGBT people or characters. Seeing Caitlyn Jenner on TV, for example, can help make the change from misunderstanding to acceptance, which is extremely important given that only [16 percent of people know someone who is transgender](#). With that in mind, teaching students about LGBT issues and individuals within the classroom could help them better understand LGBT people. **Similar to the benefits of racial and socioeconomic integration** explored in The Century Foundation’s report [How Racially Diverse Schools and Classrooms Can Benefit All Students](#), **the inclusion of LGBT issues in a school’s curriculum could reduce stereotypes and biases against the LGBT population**. Interacting with people from different backgrounds and varying preferences is an [integral skill](#), as [employers today](#) are seeking professionals who can collaborate with our world’s [increasingly diverse population](#). Furthermore, as the TCF contributors Amy Stuart Wells, Lauren Fox, and Diana Cordora-Cobo explain, **learning in diverse environments has been shown to improve one’s educational experience, as it “promote[s] creativity, motivation, deeper learning, critical thinking, and problem-solving skills.” Including LGBT content in curricula could also offer LGBT students—who disproportionately feel the effects of bullying in schools—a safer, improved educational experience**. More than [one-third of gay youth](#) have missed a day of school because they felt unsafe, and [nine out of ten of LGBT teens](#) have been bullied in school, which [can cause students to suffer academically](#). Educating students about LGBT issues could foster an environment where LGBT students [feel safer in the classroom](#), improving their overall educational experience for years to come.

[Fahs 13] Academic spaces are used to communicate values systems and are important for promoting critical thinking and enacting social change.

Fahs and Bertagni 13(Breanne Fahs, Department of Women and Gender Studies, Arizona State University, Jennifer Bertagni, Arizona State University, “Up from SCUM: Radical Feminist Pedagogies and Consciousness-Raising in the Classroom”, Radical Pedagogy, 2013, http://www.breannefahs.com/uploads/1/0/6/7/10679051/2013_radical_pedagogy_fahs_bertagni.pdf) SJ

Many scholars that utilize **critical** and feminist **pedagogies have critiqued the traditional model of education** as one that creates a learning environment centered on a grading system, memorization, and **an authoritarian teacher and submissive student relationship**. Embedded within this model, power imbalances are perpetrated without much consideration for how such imbalanced power dynamics affect student learning. Critics of traditional pedagogy argue that it overrelies upon what Paolo Freire describes as “banking,” where students become passive receptacles that teachers supposedly “fill” with information (Beckman, 1990; Freire, 1970; hooks, 1994; Larson, 2006). **Both critical and feminist theorists argue that knowledge is socially constructed and that schools perpetuate certain value systems via beliefs, attitudes, and priorities set forth in the classroom. Pedagogical practices are therefore not “neutral,” but rather, modes of communicating dominance, social norms, and ideologies about social identities like**

race, class, and gender (Leistyna, Woodrum, & Sherblom, 1999; McLaren, 1998). Though feminist pedagogy and critical theory share similar criteria and goals for educating students, feminist pedagogy focuses specifically on women's lives and experiences as a starting point for creating and learning about epistemology in the women's studies classroom (Beckman, 1990; Larson, 2006). Feminist pedagogies insist upon a continual examination of the way gender affects lived experience, policy, and cultural norms, particularly by exploring and unpacking the unexamined dynamics of gender and power (Crabtree & Sapp, 2003; Stake, 2006). Crabtree and Sapp (2003) describe feminist pedagogy as "a set of classroom practices, teaching strategies, approaches to content, and relationships grounded in critical pedagogical and feminist theory" (p. 131). Feminist pedagogy challenges the teacher-student relationship and the student's relationship to knowledge (Stake, 2001). **Jayne Stake and Francis Hoffman (2000; 2006) qualitatively measured women's studies professors' pedagogical practices and found the following four categories most commonly used:**

- 1) participatory learning: student participation by expressing their personal experiences** in the classroom;
- 2) development of critical thinking/ open-mindedness:** strengthening of critical thinking skills, where students engaged in critical thinking about the topics in lecture, rather than accepting information or "debanking";
- 3) validation of personal experience/ development of confidence:** encouraging students to see the connection between assigned readings and their own life experiences and
- 4) development of political/social understanding: helping students to conceptualize connections between readings, their societal context, and their role in engaging actively in social change.**

Therefore, **feminist pedagogy enables students to critically examine the microcosmic implications of macrocosmic and hegemonic cultural policies** and to decipher how those belief systems affect them on the personal level (Stake, 2006). In addition to the aforementioned tenets of feminist pedagogy, women's studies professors often strive to practice egalitarian power dynamics in the classroom, as well as to encourage egalitarian attitudes in general (Crabtree & Sapp, 2003; hooks, 1994; Stake, 2006). This creates a supportive atmosphere where students respect everyone's right to comment and critically evaluate their world. Opinions inconsistent with feminism expressed in the classroom can serve as platform for critical analysis and debate, with students deconstructing comments construed as sexist, racist, heterosexist, etc. while maintaining the democratic structure of the classroom (Kimmel & Worrell, 1997). Women's studies classes have demonstrated the capacity to heighten students' awareness of gender inequality; increase confidence and sense of empowerment; develop less conventional beliefs about gender and create greater practices of egalitarianism. Enhanced confidence, empowerment, and critical thinking skills students developed in women's studies classes predicted feminist and political activism later on (Stake & Hoffman, 2001; 2007). No current studies have interrogated the intersections between radical politics and feminist pedagogy.

Judges should give women and gender-minority debaters 30 speaker points. If my opponent is also a gender minority, you should give us double 30s or a 29.9 and a 30 if there are no ties allowed

[Griffin & Raider] Women and gender minorities are discounted and not taken seriously in the debate space – this is supercharged by the lack of gender diversity at things like Round Robins and the TOC – we need to uplift women and the best way to do that is through competitive success

Griffin & Raider 1989: Griffin, J. Cinder and Holly Jane Raider. "Women in High School Debate." *Punishment Paradigms: Pros and Cons*, 1989. CH

Perceptually, women lack the levels of confidence present in males; their expectations of success are lower, and the pressures placed upon them are higher. As a result of socialization, women lack confidence in their public speaking skills. This coupled with the lack of role models leads female debaters to view themselves as tokens and outsiders in the activity very early. This self perception as token "females" creates a performance pressure. 9 For example, **if it is assumed that a female debater is not as competent as her male counterpart there is additional pressure on the female to overcome the** (not necessarily overt) **expectation that she will be inadequate.** For many persons this stress is so counterproductive that it interferes with one's judgment, and ultimately the predication that the token will be inadequate may become a fulfilled prophecy. Thus, **in some situations** performances **failure is linked to performance pressure,** and **not** the objective validity of **the female debater's inabilities.** This performance pressure does not require the explicit low expectations of the dominant group, but results as a consequence of simply being unique.¹⁰ **This phenomena of performance pressure is especially prevalent on specific topics in high school debate, for example military issues. It is usually presumed that a female does not have a good grasp of military issues. Therefore, a female debater must debate not only as well as her male counterparts, but feels a need to command an even greater level of expertise in this area.** Performance pressure effects selection of events and argument preference as well.¹¹ **In general, women are not encouraged to discuss military and political issues.**

Women prefer social and theoretical arguments to military issues, and this is reflected in women's choices of debate arguments. On the collegiate level, more women participate in CEDA debate as compared to NDT debate.¹² On the high school level the ratio of male to female participants in individual events activities is nearly one to one.¹³ Therefore, even if a female is not discouraged from entering debate itself, she will not remain in the activity for long because the argument discourse either does not interest her or she is actively discouraged from becoming fluent in it. The overall rate of attrition of women in debate and their decision not to enter college debate after high school may also be related to more noticeable and determinable sexism in the debate community. Sexism is a word that has not been used thus far. Given the charged nature of this issue we have opted to focus discussion on less "sensitive" or "more objective" measures. However, as women in debate who have interviewed and surveyed other women in debate, there are several general statements we can make regarding this issue.

No impact turns, RVIs, or reasons to vote against me on this argument –

1 – it encourages debaters to impact turn sexism instead of spending time learning how to be more inclusive

2 – deters women from advocating for themselves in round bc they're afraid it can be turned

3 – norm setting – setting a norm for women losing on turns to fem encourages bro-culture in debate