## 1

#### The aff’s portrayal of a world with reduced IP protections as an “information commons” where medical inequality is solved by deregulation perpetuates the neoliberal myth of a perfect market Kapczynski 14 [(Amy, a Professor of Law at Yale Law School, Faculty Co-Director of the Global Health Justice Partnership, and Faculty Co-Director of the Collaboration for Research Integrity and Transparency. She is also Faculty Co-Director of the Law and Political Economy Project and cofounder of the Law and Political Economy blog. Her areas of research include information policy, intellectual property law, international law, and global health.) “INTELLECTUAL PROPERTY’S LEVIATHAN” Duke Law, Law & Contemporary problems, 2014. <https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=4710&context=lcp>] BC

Over the last decade or so, a powerful set of critiques has emerged to contest the dominant account just sketched out as well as the contemporary state of IP law.12 These arguments have come from many directions, some even arising from scholars who previously were champions of the dominant account.13 The most prominent and potent line of theoretical critique in the legal literature has come in the guise of arguments for free culture and the “information commons” and has been most influentially articulated by Lawrence Lessig and Yochai Benkler.14 Both have stressed the problems with expansive exclusive rights regimes in information and have also sketched a set of actually existing alternatives to market-based exclusionary forms of information and cultural production.

Lessig has written a series of influential books that have made him a “rock star of the information age,”15 particularly for young Internet and free-culture activists. He has argued powerfully, for example, that existing copyright law is in deep conflict with the radical new possibilities for creativity in the digital age. As he points out, when a mother posting a video of her toddler dancing to a Prince song on YouTube is threatened with a $150,000 fine for copyright infringement, something has gone seriously awry.16 Lessig also contends that copyright law today is too long, too expansive, and instantiates a “permission culture” that is antithetical to free expression in the age of the remix.17 As he puts it, “the Internet has unleashed an extraordinary possibility for many to participate in the process of building and cultivating a culture that reaches far beyond local boundaries,” creating the possibility of markets that “include a much wider and more diverse range of creators,” if not stifled by incumbents who use IP law to “protect themselves against this competition.”18

Benkler’s work has also been extraordinarily formative in the field, particularly for his insights into the multiplicity of modes of information production. As he has stressed, the conventional justification for IP does not account for the many successful and longstanding modes of market nonexclusionary information production.19 For example, attorneys write articles to attract clients, software developers sell services customizing free and opensource software for individual clients, and bands give music away for free to increase revenues from touring or merchandise.20 More pathbreaking still is Benkler’s account of the importance of “commons-based peer production,” a form of socially motivated and cooperative production exemplified by the volunteer network that maintains Wikipedia or the groups of coders who create open-source software products such as the Linux operating system.21 In the digital networked age, as Benkler describes, the tools of information production are very broadly distributed, “creating new opportunities for how we make and exchange information, knowledge, and culture.”22 These changes have increased the relative role in our information economy of nonproprietary production and facilitate “new forms of production [that] are based neither in the state nor in the market.”23 Because commons-based peer production is not hierarchically organized and is motivated by social dynamics and concerns, it also offers new possibilities for human development, human freedom, a more critical approach to culture, and more democratic forms of political participation.24

This line of critique has been profoundly generative and has helped launch an important new conceptualization of the commons as a paradigm. That paradigm, as a recent book puts it, “helps us ‘get outside’ of the dominant discourse of the market economy and helps us represent different, more wholesome ways of being.”25 Proponents of the commons concept draw upon contemporary articulations of successful commons-based resource management by Elinor Ostrom and her followers.26 They do mobilize retellings of the political and economic history of the commons in land in Europe before enclosure,27 and recent evidence from psychology and behavioral economics that suggests that humans have deep tendencies toward cooperation and reciprocation.28 They argue that A key revelation of the commons way of thinking is that we humans are not in fact isolated, atomistic individuals. We are not amoebas with no human agency except hedonistic “utility preferences” expressed in the marketplace. No: We are commoners—creative, distinctive individuals inscribed within larger wholes. We may have unattractive human traits fueled by individual fears and ego, but we are also creatures entirely capable of self-organization and cooperation; with a concern for fairness and social justice; and willing to make sacrifices for the larger good and future generations.29

This stands, of course, as a powerful rebuke to the neoliberal imaginary, which “constructs and interpellates individuals as . . . rational, calculating creatures whose moral autonomy is measured by their capacity for ‘self-care’— the ability to provide for their own needs and service their own ambitions.”30

III

Given this radical—and, in my view, critically important—attempt to rethink the subject at the core of neoliberal accounts, it is all the more striking that proponents of the commons often appear to adopt a neoliberal image of the state. For example, the introduction to a recently edited volume that gathers writings on the commons from seventy-three authors in thirty countries (entitled, tellingly, The Wealth of the Commons: A World Beyond Market and State) has this to say:

The presumption that the state can and will intervene to represent the interests of citizens is no longer credible. Unable to govern for the long term, captured by commercial interests and hobbled by stodgy bureaucratic structures in an age of nimble electronic networks, the state is arguably incapable of meeting the needs of citizens as a whole.31

The commons, they suggest, is a concept that seeks not only to liberate us from predatory and dysfunctional markets, but also from predatory and dysfunctional states. Something immediately seems incongruous here. If people are inherently cooperative reciprocators, why are states irredeemably corrupt? After all, as Harold Demsetz famously wrote in his 1967 attack on Arrow’s optimism about state production of information, “[g]overnment is a group of people.”32

Lessig, one of the progenitors of the language of the commons in the informational domain, often leads with a similar view of the state:

[I]f the twentieth century taught us one lesson, it is the dominance of private over state ordering. Markets work better than Tammany Hall in deciding who should get what, when. Or as Nobel Prize-winning economist Ronald Coase put it, whatever problems there are with the market, the problems with government are more profound.33

Lessig reveals his own sense of the power of this conception of the state when he seeks to tar IP law with the same brush; we should rebel against current IP law, he suggests, because we should “limit the government’s role in choosing the future of creativity.”34

Benkler is more measured but admits as well to viewing the state as “a relatively suspect actor.”35 We should worry, he suggests, that direct governmental intervention “leads to centralization in the hands of government agencies and powerful political lobbies,”36 a view that echoes the neoliberal account described above.

It should perhaps not surprise us that leading critics of neoliberal information policy embrace a neoliberal conception of the state. After all, neoliberalism is not merely an ideology, but also a set of policy prescriptions that may have helped to call forth the state that it has described. As David Harvey puts it, “[t]he neoliberal fear that special-interest groups would pervert and subvert the state is nowhere better realized than in Washington, where armies of corporate lobbyists . . . effectively dictate legislation to match their special interests.”37

There are, it must be said, few areas of law that better exemplify this problem than IP law. For example, Jessica Litman has documented the astonishing process through which the 1976 Copyright Act was drafted, in which Congress delegated most of the drafting to interest groups that were forced to negotiate with one another.38 Other scholars have offered similarly startling accounts of the genesis of the most important IP treaty today, the TradeRelated Aspects of Intellectual Property Rights (TRIPS) Agreement. TRIPS came into force in 1996, revolutionizing international IP law by both imposing new standards and by rendering them enforceable through the WTO’s disputeresolution system, which authorizes trade retaliation to enforce its judgments. Most countries in the world are members of TRIPS, and the Agreement introduced, for developing countries in particular, substantial new obligations, such as the obligation to grant patents on medicines and food-related inventions. Several excellent histories of the treaty have been written, documenting its beginnings as a brash idea proposed by “twelve chief executive officers (representing pharmaceutical, entertainment, and software industries).”39 As Susan Sell has described, the TRIPS Agreement was a triumph of industry organizing. Through TRIPS, Industry revealed its power to identify and define a trade problem, devise a solution, and reduce it to a concrete proposal that could be sold to governments.

#### The aff’s rhetoric of helping developing economies is the Trojan Horse for neoliberal privatization which destroys healthcare and is a vehicle for imperialism.

Gatwiri et al 19 [(Kathomi Gatwiri, lecturer based at Southern Cross University where she teaches Social Work & Social Policy; Julians Amboko, finance and economics correspondent with the Nation Media Group; and Darius Okolla, Bachelor of Commerce - Finance degree, from Kenyatta University) “The implications of Neoliberalism on African economies, health outcomes and wellbeing: a conceptual argument” Soc Theory Health. 18(1): 86–101. 6-26-19, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7223727/>] TDI

Since the late 1980s, the sub-Sahara has been struggling to address the issues of inequality that have been inflated by neoliberal policies and capitalist development policies that focus on production of labour and little on the health and wellbeing of the “producers” of the said labour. Globally, the rolling out of neoliberal policies has led to a plethora of harmful socioeconomic consequences, including increased poverty, unemployment, and deterioration of income distribution (Rotarou and Sakellariou 2017; Collins et al. 2015). Hartmann (2016, p. 2145) states that “neoliberalism typically refers to minimal government intervention, laissez-faire market policies, and individualism over collectivism [which] has been adopted by—and pressed upon—the majority of national governments and global development institution.” She further states that “neoliberal policies have contributed to the privatization and individualization of healthcare, resulting in growing health inequalities.” By privatising healthcare, education, electricity, water and housing, neoliberals argue that private institutions are more capable, effective and efficient in providing social services. Harvey (2007) states that neoliberalism is “a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, … free trade” and a “hands-off” approach from the government. This is what Friedman referred to as the system of “free market capitalism” (Friedman 2009). However, (Garnham (2017) argues that decreasing public spending and government involvement in the welfare of people through the rhetoric of choice and freedom has a harmful impact on people’s health and wellbeing.

The biggest conceptual challenge is that neoliberal ideology adopts the language of freedom and choice, increased foreign investments, and open markets and trade to progress policies that lead to privatisation of basic needs such as education, healthcare, water, electricity and housing. The rich can often afford these services and can compete “fairly” in the “free market”, but the poor—unable to afford health care, education or decent housing—are left marginalised. Njoya (2017) explored the use of language in promoting inequality in the healthcare system. She argued that “neoliberalism uses the language of social policy and justice but [insidiously] drives a very corporate and unequal agenda.”

Neoliberalism has radically shifted the African public health space in the last two decades. Most sub-Saharan African countries drastically reduced their healthcare budgets following the International Monetary Fund (IMF) and the World Bank Structural Adjustment programs (SAPs) directives. As Hartmann (2016, p. 2146) wrote, it “decentralized health care decision-making and funding, resulting in wide-scale privatization of health care services, delivery, and insurance, which led to structural segmentation and fragmentation.” SAPs have had myriad negative impacts on African economies, including, but not limited to, “inflationary pressures, the marginalization of the poor in the distribution of educational and health benefits and a reduction in employment” (Rono 2002, p. 84). As the main impetus of the SAPs was to reduce and ration expenditure, structural adjustment in the healthcare sector slashed public spending on primary healthcare, and aided the privatisation of health systems and services. In Kenya, for example, The Bamako Initiative of 1987 anchored cost-sharing as a central tenet of public health policy, in which patients were required to pay for nearly all costs of diagnosis and treatment (Rono 2002). Outside of an emergency, patients were required to provide proof of payment before medical services are availed. By channelling funding to narrow medical interests, structural adjustment policies resulted in an uneven medical landscape, with a few prestigious fields surrounded by poorly resourced departments. Clinicians had to tailor their decisions about treatment to the limited medicine, technologies and resources available.

The increased number of private healthcare organisations, coupled with a significant reduction in the role of government in the provision of healthcare services, contributed to extensive negative outcomes on the quality, effectiveness, cost and access of health systems and services, which severely impacted on people’s wellbeing. Rotarou and Sakellariou (2017, p. 497) state that the private institutions, “with their focus on increasing profits, and not on providing affordable and good-quality healthcare, have led to the deterioration of public health systems, increase in urban–rural divide, as well as increase in inequality of access to healthcare services.” Privatisation of healthcare has made services more unaffordable and less available to the population of people that need it the most. As a result, life expectancy has stagnated or fallen in most African countries, and mortality from preventable infections and diseases continues to rise. Further to this, the politics of healthcare through a neoliberal lens are often framed as “individual” issues rather than “structural and ideological” issues. This implies that the neoliberal approach to health has diminished the idea of healthcare as a universal human right.

Reframing, reshaping, rethinking and re-politicising healthcare reveals the colonial attitudes that dictate who “deserves” good healthcare. Njoya (2017) states,

[Politicians in Kenya] come to the rescue of the poor by paying hospital bills but will not have a conversation about the fact that we the taxpayers are paying millions [worth of] medical cover for each of them and will not engage in a conversation about the underfunding of healthcare, and the looting of the little money given to healthcare. When [the] Netherlands and the UN are helping foreign companies purchase Kenyan hospitals, [they are] supporting our government’s deafness to [our right to basic healthcare] and [promoting their] refusal to fund public hospitals.

The privatisation and buying out of African hospitals by foreign companies in an attempt to “help and rescue them” is a capitalist response that undercuts universal healthcare for Africans by appropriating the language of care and inclusion. In reality, this “white saviour approach” is layered with nothing but racism, disempowerment, exploitation of people, and exclusion of those who cannot afford those “privatised” services. Access to health services, therefore, remains both a political as well as a human rights issue that’s closely tied to social justice (Braveman and Gruskin 2003b); but Africa’s colonial history, fuelled by Western greed for her resources, promotes discriminatory policies that continue to impact Africans and their wellbeing.

#### Capitalism is an a priori impact under any framework -- it’s the greatest existential threat and the biggest affront to human rights and causes value to life deprivation.

Ahmed 20 (Nafeez Ahmed -- Visiting Research Fellow at the Global Sustainability Institute at Anglia Ruskin University's Faculty of Science & Technology + M.A. in contemporary war & peace studies + DPhil (April 2009) in international relations from the School of Global Studies @ Sussex University, “Capitalism is Destroying ‘Safe Operating Space’ for Humanity, Warn Scientists”, https://www.resilience.org/stories/2020-06-24/capitalism-is-destroying-safe-operating-space-for-humanity-warn-scientists/, 24 June 2020, EmmieeM)

The COVID19 pandemic has exposed a strange anomaly in the global economy. If it doesn’t keep growing endlessly, it just breaks. Grow, or die.

But there’s a deeper problem. New scientific research confirms that capitalism’s structural obsession with endless growth is destroying the very conditions for human survival on planet Earth.

A landmark study in the journal Nature Communications, “Scientists’ warning on affluence” — by scientists in Australia, Switzerland and the UK — concludes that the most fundamental driver of environmental destruction is the overconsumption of the super-rich.

This factor lies over and above other factors like fossil fuel consumption, industrial agriculture and deforestation: because it is overconsumption by the super-rich which is the chief driver of these other factors breaching key planetary boundaries.

The paper notes that the richest 10 percent of people are responsible for up to 43 percent of destructive global environmental impacts.

In contrast, the poorest 10 percent in the world are responsible just around 5 percent of these environmental impacts:

The new paper is authored by Thomas Wiedmann of UNSW Sydney’s School of Civil and Environmental Engineering, Manfred Lenzen of the University of Sydney’s School of Physics, Lorenz T. Keysser of ETH Zürich’s Department of Environmental Systems Science, and Julia K. Steinberger of Leeds University’s School of Earth and Environment.

It confirms that global structural inequalities in the distribution of wealth are intimately related to an escalating environmental crisis threatening the very existence of human societies.

Synthesising knowledge from across the scientific community, the paper identifies capitalism as the main cause behind “alarming trends of environmental degradation” which now pose “existential threats to natural systems, economies and societies.” The paper concludes:

“It is clear that prevailing capitalist, growth-driven economic systems have not only increased affluence since World War II, but have led to enormous increases in inequality, financial instability, resource consumption and environmental pressures on vital earth support systems.”

Capitalism and the pandemic

Thanks to the way capitalism works, the paper shows, the super-rich are incentivised to keep getting richer — at the expense of the health of our societies and the planet overall.

The research provides an important scientific context for how we can understand many earlier scientific studies revealing that industrial expansion has hugely increased the risks of new disease outbreaks.

Just last April, a paper in Landscape Ecology found that deforestation driven by increased demand for consumption of agricultural commodities or beef have increased the probability of ‘zoonotic’ diseases (exotic diseases circulating amongst animals) jumping to humans. This is because industrial expansion, driven by capitalist pressures, has intensified the encroachment of human activities on wildlife and natural ecosystems.

Two years ago, another study in Frontiers of Microbiology concluded presciently that accelerating deforestation due to “demographic growth” and the associated expansion of “farming, logging, and hunting”, is dangerously transforming rural environments. More bat species carrying exotic viruses have ended up next to human dwellings, the study said. This is increasing “the risk of transmission of viruses through direct contact, domestic animal infection, or contamination by urine or faeces.”

It is difficult to avoid the conclusion that the COVID19 pandemic thus emerged directly from these rapidly growing impacts of human activities. As the new paper in Nature Communications confirms, these impacts have accelerated in the context of the fundamental operations of industrial capitalism.

Eroding the ‘safe operating space’

The result is that capitalism is causing human societies to increasingly breach key planetary boundaries, such as land-use change, biosphere integrity and climate change.

Remaining within these boundaries is essential to maintain what scientists describe as a “safe operating space” for human civilization. If those key ecosystems are disrupted, that “safe operating space” will begin to erode. The global impacts of the COVID19 pandemic are yet another clear indication that this process of erosion has already begun.

“The evidence is clear,” write Weidmann and his co-authors.

“Long-term and concurrent human and planetary wellbeing will not be achieved in the Anthropocene if affluent overconsumption continues, spurred by economic systems that exploit nature and humans. We find that, to a large extent, the affluent lifestyles of the world’s rich determine and drive global environmental and social impact. Moreover, international trade mechanisms allow the rich world to displace its impact to the global poor.”

The new scientific research thus confirms that the normal functioning of capitalism is eroding the ‘safe space’ by which human civilisation is able to survive.

The structures

The paper also sets out how this is happening in some detail. The super-rich basically end up driving this destructive system forward in three key ways.

Firstly, they are directly responsible for “biophysical resource use… through high consumption.”

Secondly, they are “members of powerful factions of the capitalist class.”

Thirdly, due to that positioning, they end up “driving consumption norms across the population.”

But perhaps the most important insight of the paper is not that this is purely because the super-rich are especially evil or terrible compared to the rest of the population — but because of the systemic pressures produced by capitalist structures.

The authors point out that: “Growth imperatives are active at multiple levels, making the pursuit of economic growth (net investment, i.e. investment above depreciation) a necessity for different actors and leading to social and economic instability in the absence of it.”

At the core of capitalism, the paper observes, is a fundamental social relationship defining the way working people are systemically marginalised from access to the productive resources of the earth, along with the mechanisms used to extract these resources and produce goods and services.

This means that to survive economically in this system, certain behavioural patterns become not just normalised, but seemingly entirely rational — at least from a limited perspective that ignores wider societal and environmental consequences. In the words of the authors:

“In capitalism, workers are separated from the means of production, implying that they must compete in labour markets to sell their labour power to capitalists in order to earn a living.”

Meanwhile, firms which own and control these means of production “need to compete in the market, leading to a necessity to reinvest profits into more efficient production processes to minimise costs (e.g. through replacing human labour power with machines and positive returns to scale), innovation of new products and/or advertising to convince consumers to buy more.”

If a firm fails to remain competitive through such behaviours, “it either goes bankrupt or is taken over by a more successful business. Under normal economic conditions, this capitalist competition is expected to lead to aggregate growth dynamics.”

The irony is that, as the paper also shows, the “affluence” accumulated by the super-rich isn’t correlated with happiness or well-being.

Restructure

The “hegemonic” dominance of global capitalism, then, is the principal obstacle to the systemic transformation needed to reduce overconsumption. So it’s not enough to simply try to “green” current consumption through technologies like renewable energy — we need to actually reduce our environmental impacts by changing our behaviours with a focus on cutting back our use of planetary resources:

“Not only can a sufficient decoupling of environmental and detrimental social impacts from economic growth not be achieved by technological innovation alone, but also the profit-driven mechanism of prevailing economic systems prevents the necessary reduction of impacts and resource utilisation per se.”

The good news is that it doesn’t have to be this way.

The paper reviews a range of “bottom-up studies” showing that dramatic reductions in our material footprint are perfectly possible while still maintaining good material living standards.

In India, Brazil and South Africa, “decent living standards” can be supported “with around 90 percent less per-capita energy use than currently consumed in affluent countries.” Similar possible reductions are feasible for modern industrial economies such as Australia and the US.

By becoming aware of how the wider economic system incentivises behaviour that is destructive of human societies and planetary ecosystems critical for human survival, both ordinary workers and more wealthy sectors — including the super-rich — can work toward rewriting the global economic operating system.

This can be done by restructuring ownership in firms, equalising relations with workers, and intentionally reorganising the way decisions are made about investment priorities.

The paper points out that citizens and communities have a crucial role to play in getting organised, upgrading efforts for public education about these key issues, and experimenting with new ways to work together in bringing about “social tipping points” — points at which social action can catalyse mass change.

While a sense of doom and apathy about the prospects for such change is understandable, mounting evidence based on systems science suggests that global capitalism as we know it is in a state of protracted crisis and collapse that began some decades ago. This research strongly supports the view that as industrial civilization reaches the last stages of its systemic life-cycle, there is unprecedented and increasing opportunity for small-scale actions and efforts to have large system-wide impacts.

The new paper shows that the need for joined-up action is paramount: structural racism, environmental crisis, global inequalities are not really separate crises — but different facets of human civilization’s broken relationship with nature.

Yet, of course, the biggest takeaway is that those who bear most responsibility for environmental destruction — those who hold the most wealth in our societies — urgently need to wake up to how their narrow models of life are, quite literally, destroying the foundations for human survival over the coming decades.

#### The alternative is a global socialist movement that ends globalization

Galant 19 [(Michael, a coordinator of the Wire Pillar of the Progressive International, former economics and trade fellow at Young Professionals in Foreign Policy, MPP from Harvard University’s Kennedy School and BA in political economy from Brown University) “The Battle of Seattle: 20 years later, it's time for a revival” Open Democracy, 11/30/2019. <https://www.opendemocracy.net/en/oureconomy/battle-seattle-20-years-later-its-time-revival/>] BC

20 years ago today, the streets of Seattle became front lines in the global class war.

Over the course of five days, some 40,000 individuals, representing unions, environmental groups, and Leftist organizations from around the world came together in an attempt to disrupt the Ministerial Conference of the World Trade Organization (WTO).

Using direct action tactics, activists physically delayed access to the meeting and led marches, rallies, and teach-ins that drew massive crowds. Protesters of all stripes were attacked by a violent police force – attracting international media coverage. The demonstrations outside became a wedge that would help drive the negotiations inside to collapse. The Battle of Seattle was won.

But the war continued. Seattle was about more than any single organization. The WTO was a symbol of the larger project of neoliberal globalization that was, in 1999, well on its way to reshaping the world in the interest of capital. The Battle of Seattle would become an equally potent symbol of resistance. The WTO protests marked the moment that the Alter-Globalization Movement (AGM), also known as the Global Justice, or disparagingly, the Anti-Globalization Movement, was launched into the public consciousness.

Much has changed in the two decades since. The AGM won many meaningful victories and experienced many more profound losses. Eventually, the movement faded. Today’s global economy resembles the neoliberal nightmare the Seattle protesters were fighting against more than the world they were fighting for. But recent years have revealed cracks in the surface. With an opportunity to finish what was started, it’s time to revive the spirit of Seattle.

Globalization and its dissent

Neoliberal globalization is a political project intended to raise the power of capital to the international level – to cement its supremacy as an immutable universal law beyond the reach of political communities. “Free trade” agreements and WTO rules establish the primacy of profit over democracy, labor, environmental, and consumer protections. World Bank and IMF loan conditions impose austerity, privatization, and deregulation on nations of the Global South. An international system of tax havens allows corporations and wealthy individuals to hoard their plundered resources. Global supply chain fragmentation shields multinationals from accountability for their abuses. Investment treaties unleash finance and corporations to cross borders in search of opportunities for exploitation, setting off a regulatory race to the bottom. If there was doubt before that capitalism must be confronted at the global level to be defeated, the power grab that is neoliberal globalization puts those doubts to rest. Capital is global. Labor must be too.

Yet there are forces preventing such global solidarity. Beginning during the Cold War, the majority of Northern labor accepted a compromise: support a foreign policy that enacts the interests of capital, and benefit from a share of the spoils in the form of minor concessions, a tempered welfare state, and cheap consumer goods. This tacit agreement survived largely intact into the neoliberal era – dividing the interests of a global working class and quelling demands for systemic global change.

The Alter-Globalization Movement rejected the compromise. While activists in the Global South had long resisted destructive free trade agreements and World Bank austerity, occasionally with solidarity from the North, the extremity of turn-of-the-century neoliberalism led to the explosion of a movement that refused to accept the mere crumbs of neocolonial extraction, and sought instead to build an alternative global economy for the many, both North and South.

This was a movement that brought together American anarchists with Korean peasants; libertarian socialist indigenous groups in Mexico with US anti-sweatshop activists; the International Confederation of Free Trade Unions with the Industrial Workers of the World; the Brazilian Movement for Landless Workers with Greenpeace; Filipino anti-capitalist scholars with French farmer activists best known for physically dismantling a McDonald’s. Their demands were many and varied – from land redistribution to the abolition of the World Bank, from a renegotiated NAFTA to the protection of indigenous knowledge of seeds from privatization – but all shared a vision of a global solidarity that would overcome the forces of neoliberal globalization.

Organizing under such a big tent, the AGM is better understood as a dispersed, informal network – a “movement of movements” – than a unified political structure. This fluid network manifested in many forms. The flagship World Social Forum regularly convened activists in an alternative to the annual World Economic Forum. Transnational advocacy networks campaigned on issues such as Global South debt relief. Northern activists used their positions of relative privilege to support local campaigns in the South, fighting water privatization in Bolivia and indigenous displacement from hydroelectric dams in India. And, as in Seattle, meetings of international organizations became rallying points for major global demonstrations.

With these organizing methods, the movement achieved substantial victories. The Jubilee 2000 campaign led to significant debt relief for Southern nations. Potentially disastrous trade agreements from the FTAA to TPP have been, at least temporarily, defeated. International Financial Institutions like the IMF and World Bank – while still agents of global capital – have vastly improved their lending practices since the 90’s. But its greatest successes were intangible: the AGM undermined the hegemonic ambitions embodied in Thatcher’s “There Is No Alternative”, slowed neoliberal globalization’s seemingly inexorable onslaught, and kept alive the flame of resistance during an otherwise nadir of Leftist politics.

The AGM should not, however, be romanticized. Emerging in a moment when the failures of 20th century socialist politics weighed heavily on the Left’s imagination, the AGM turned too far in the opposing direction. Big-tentism led to a dilution of demands and paved the way for the NGO-ization of the World Social Fora. A preference for all things decentralized made grabbing headlines easy, but building lasting political structures difficult. Resistance was often treated as an intrinsically valuable ends, rather than a means to taking power. And criticisms of “neoliberalism” typically fell short of identifying the true enemy – capitalism – or advancing a coherent alternative – socialism.

Ultimately, the neoliberal plan for the global economy succeeded more than not. While resistance to neoliberal globalization would rage on in the South, Northern solidarity faded. The September 11th attacks were the beginning of the end. Energy shifted to the anti-war movement, the state expanded its repression of Leftist organizing, and increased pressures toward “patriotism” led some to reconsider the old foreign policy compromise. By the mid-2000’s, little was left of what the AGM once was.

A call for revival

It’s time to rekindle the flame.

The global economy is still structured in the interest of capital. But the neoliberal consensus has begun to waver under the weight of its own contradictions.

The Right has a response to the crisis. Reactionary nationalists like Trump and Johnson seize upon existing systems of oppression to scapegoat the symptoms of a failed economic model. The problem is not that the global working class has lost out to a global capital class. The problem is that “we” – White, Christian, cishet, native-born Americans – have lost out to “them” – People of Color, immigrants, entire foreign countries, feminists, LGBTQ+ folks, and all those who threaten our supremacy in their struggles for liberation.

The Left must offer an alternative vision. The dramatic growth of socialist organizing and rise in popularity of social democratic politicians should offer great hope. But as the AGM understood, social democracy for the North is not enough. Our socialism must not mean merely a greater share of neocolonial extraction for Northern workers. Our socialism must rightly identify the global nature of our challenge, and unite across borders to confront a globalized capital.

That means internationalizing labor organizing to confront multinational corporations. Changing the rules of trade and investment. Ending tax havens. Building alternatives to the existing intellectual property regime. Holding corporations accountable for abuses in their supply chains. Supporting the struggles of peasants, indigenous peoples, and all global subaltern groups. Democratizing global governance. Opening borders to those displaced by the ravages of global capitalism. Advancing alternative models of development. Transforming, if not abolishing and replacing, the Bretton Woods Institutions. And confronting the all-important threat of climate collapse with, to begin with, a global Green New Deal. These are not minor addendums to a socialist platform. Class war is global. Internationalist demands are fundamental.

Organizations that remain from the AGM, international labor, and newcomers like Justice Is Global, the Fight Inequality Alliance, and Bernie Sanders and Yanis Varoufakis’s Progressive International, are already struggling for this vision. But its fruition depends on the backing of a far broader movement.

Like the AGM, we must take a global frame of analysis, and see neoliberal globalization as a concerted effort to undermine our power. Unlike the AGM, we must understand that neoliberalism is merely one manifestation of a greater enemy.

Like the AGM, we must build diverse, anti-racist, anti-sexist, anti-xenophobic movements that transcend borders. Unlike the AGM, we must not allow fears of centralization to undermine a coherent platform.

Like the AGM, we must reject a class compromise that sacrifices the possibility of a better world for the crumbs of colonialism. Unlike the AGM, we must build lasting political structures that back our rejection with political power.

20 years ago, the streets of Seattle echoed with a chant that would become the defining motto of the movement: “another world is possible!” It still is – if we’re willing to fight for it.

## 2

**Biotech industry strong now.**

**Cancherini et al. 4/30** [(Laura, Engagement Manager @ McKinsey & Company, Joseph Lydon, Associate Partner @ McKinsey & Company, Jorge Santos Da Silva, Senior Partner at McKinsey & Company, and Alexandra Zemp, Partner at McKinsey & Company), “What’s ahead for biotech: Another wave or low tide?“, McKinsey & Company, 4-30-2021, <https://www.mckinsey.com/industries/pharmaceuticals-and-medical-products/our-insights/whats-ahead-for-biotech-another-wave-or-low-tide>] TDI

As the pandemic spread across the globe in early 2020, biotech leaders were initially pessimistic, reassessing their cash position and financing constraints. When McKinsey and BioCentury interviewed representatives from 106 biotech companies in May 2020,4 half of those interviewed were expecting delays in financing, and about 80 percent were tight on cash for the next two years and considering trade-offs such as deferring IPOs and acquisitions. Executives feared that valuations would decline because of lower revenue projections and concerns about clinical-trial delays, salesforce-effectiveness gaps, and other operational issues.

Belying this downbeat mood, biotech has in fact had one of its best years so far. By January 2021, venture capitalists had invested some 60 percent more than they had in January 2020, with more than $3 billion invested worldwide in January 2021 alone.5 IPO activity grew strongly: there were 19 more closures than in the same period in 2020, with an average of $150 million per raise, 17 percent more than in 2020. Other deals have also had a bumper start to 2021, with the average deal size reaching more than $500 million, up by more than 66 percent on the 2020 average (Exhibit 3).6

What about SPACs?

The analysis above does not include special-purpose acquisition companies (SPACs), which have recently become significant in IPOs in several industries. Some biotech investors we interviewed believe that SPACs represent a route to an IPO. How SPACs will evolve remains to be seen, but biotechs may be part of their story.

Fundamentals continue strong

When we asked executives and investors why the biotech sector had stayed so resilient during the worst economic crisis in decades, they cited innovation as the main reason. The number of assets transitioning to clinical phases is still rising, and further waves of innovation are on the horizon, driven by the convergence of biological and technological advances.

In the present day, many biotechs, along with the wider pharmaceutical industry, are taking steps to address the COVID-19 pandemic. Together, biotechs and pharma companies have [more than 250 vaccine candidates in their pipelines](https://www.mckinsey.com/industries/pharmaceuticals-and-medical-products/our-insights/on-pins-and-needles-will-covid-19-vaccines-save-the-world), along with a similar number of therapeutics. What’s more, the crisis has shone a spotlight on pharma as the public seeks to understand the roadblocks involved in delivering a vaccine at speed and the measures needed to maintain safety and efficacy standards. To that extent, the world has been living through a time of mass education in science research and development.

Biotech has also benefited from its innate financial resilience. Healthcare as a whole is less dependent on economic cycles than most other industries. Biotech is an innovator, actively identifying and addressing patients’ unmet needs. In addition, biotechs’ top-line revenues have been less affected by lockdowns than is the case in most other industries.

Another factor acting in the sector’s favor is that larger pharmaceutical companies still rely on biotechs as a source of innovation. With the [top dozen pharma companies](https://www.mckinsey.com/business-functions/m-and-a/our-insights/a-new-prescription-for-m-and-a-in-pharma) having more than $170 billion in excess reserves that could be available for spending on M&A, the prospects for further financing and deal making look promising.

For these and other reasons, many investors regard biotech as a safe haven. One interviewee felt it had benefited from a halo effect during the pandemic.

More innovation on the horizon

The investors and executives we interviewed agreed that biotech innovation continues to increase in quality and quantity despite the macroeconomic environment. Evidence can be seen in the accelerating pace of assets transitioning across the development lifecycle. When we tracked the number of assets transitioning to Phase I, Phase II, and Phase III clinical trials, we found that Phase I and Phase II assets have transitioned 50 percent faster since 2018 than between 2013 and 2018, whereas Phase III assets have maintained much the same pace. There could be many reasons for this, but it is worth noting that biotechs with Phase I and Phase II assets as their lead assets have accounted for more than half of biotech IPOs. Having an early IPO gives a biotech earlier access to capital and leaves it with more scope to concentrate on science.

Looking forward, the combination of advances in biological science and accelerating developments in technology and artificial intelligence has the potential to take innovation to a new level. A [recent report](https://www.mckinsey.com/industries/pharmaceuticals-and-medical-products/our-insights/the-bio-revolution-innovations-transforming-economies-societies-and-our-lives) from the McKinsey Global Institute analyzed the profound economic and social impact of biological innovation and found that biomolecules, biosystems, biomachines, and biocomputing could collectively produce up to 60 percent of the physical inputs to the global economy. The applications of this “Bio Revolution” range from agriculture (such as the production of nonanimal meat) to energy and materials, and from consumer goods (such as multi-omics tailored diets) to a multitude of health applications.

**IPR key to innovation.**

**Bacchus 20** [(James, member of the Herbert A. Stiefel Center for Trade Policy Studies, the Distinguished University Professor of Global Affairs and director of the Center for Global Economic and Environmental Opportunity at the University of Central Florida. He was a founding judge and was twice the chairman—the chief judge—of the highest court of world trade, the Appellate Body of the World Trade Organization in Geneva, Switzerland) "An Unnecessary Proposal: A WTO Waiver of Intellectual Property Rights for COVID-19 Vaccines," Cato Institute, 12-16-2020, https://www.cato.org/free-trade-bulletin/unnecessary-proposal-wto-waiver-intellectual-property-rights-covid-19-vaccines] TDI

At the heart of this emerging trade debate is a belief by many people worldwide that all medicines should be “global public goods.” There is little room in such a belief for consideration of any rights to IP. As one group of United Nations human rights experts expressed: “There is no room for … profitability in decision‐​making about access to vaccines, essential tests and treatments, and all other medical goods, services and supplies that are at the heart of the right to the highest attainable standard of health for all.”[16](https://www.cato.org/free-trade-bulletin/unnecessary-proposal-wto-waiver-intellectual-property-rights-covid-19-vaccines#_ednref16)

This view is myopic. Subordinating IP rights temporarily to pressing public needs during a pandemic or other global health emergency is one thing. Eliminating any consideration of “profitability” in all policymaking relating to “access to vaccines, essential tests and treatments, and all other medical goods, services and supplies” is quite another.[17](https://www.cato.org/free-trade-bulletin/unnecessary-proposal-wto-waiver-intellectual-property-rights-covid-19-vaccines#_ednref17) To be sure, there is a superficial moral appeal in such a view. But does this moral appeal hold up if such a “human rights” approach does not result in meeting those urgent public needs?

With the belief that medicines should be “public goods,” there is literally no support in some quarters for the application of the WTO TRIPS Agreement to IP rights in medicines. Any protection of the IP rights in such goods is viewed as a violation of human rights and of the overall public interest. This view, though, does not reflect the practical reality of a world in which **many medicines would simply not exist if it were not for the existence of IP rights and the protections they are afforded.**

Technically, IP rights are exceptions to free trade. A long‐​standing general discussion in the WTO has been about when these exceptions to free trade should be allowed and how far they should be extended. The continuing debate over IP rights in medicines is only the most emotional part of this overall conversation. Because developed countries have, historically, been the principal sources of IP rights, this lengthy WTO dispute has largely been between developed countries trying to uphold IP rights and developing countries trying to limit them. The debate over the discovery and the distribution of vaccines for COVID-19 is but the latest global occasion for this ongoing discussion.

The primary justification for granting and protecting IP rights is that they are incentives for innovation, which is the main source for long‐​term economic growth and enhancements in the quality of human life. IP rights spark innovation by “enabling innovators to capture enough of the benefits of their own innovative activity to justify taking considerable risks.”[18](https://www.cato.org/free-trade-bulletin/unnecessary-proposal-wto-waiver-intellectual-property-rights-covid-19-vaccines#_ednref18) The knowledge from innovations inspired by IP rights spills over to inspire other innovations. The protection of IP rights promotes the diffusion, domestically and internationally, of innovative technologies and new know‐​how. Historically, the principal factors of production have been land, labor, and capital. In the new pandemic world, perhaps an even more vital factor is the creation of knowledge, which adds enormously to “the wealth of nations.” Digital and other economic growth in the 21st century is increasingly ideas‐​based and knowledge intensive. Without IP rights as incentives, there would be less new knowledge and thus less innovation.

**Biopharmaceutical innovation is key to prevent future pandemics and bioterror.**

**Marjanovic and Feijao 20** [(Sonja Marjanovic, Ph.D., Judge Business School, University of Cambridge. Carolina Feijao, Ph.D. in biochemistry, University of Cambridge; M.Sc. in quantitative biology, Imperial College London; B.Sc. in biology, University of Lisbon.) "How to Best Enable Pharma Innovation Beyond the COVID-19 Crisis," RAND Corporation, 05-2020, https://www.rand.org/pubs/perspectives/PEA407-1.html] TDI

As key actors in the healthcare innovation landscape, pharmaceutical and life sciences companies have been called on to develop medicines, vaccines and diagnostics for pressing public health challenges. The COVID-19 crisis is one such challenge, but there are many others. For example, MERS, SARS, Ebola, Zika and avian and swine flu are also infectious diseases that represent public health threats. Infectious agents such as anthrax, smallpox and tularemia could present threats in a bioterrorism context.1 The general threat to public health that is posed by antimicrobial resistance is also well-recognised as an area in need of pharmaceutical innovation. Innovating in response to these challenges does not always align well with pharmaceutical industry commercial models, shareholder expectations and competition within the industry. However, the expertise, networks and infrastructure that industry has within its reach, as well as public expectations and the moral imperative, make pharmaceutical companies and the wider life sciences sector an indispensable partner in the search for solutions that save lives. This perspective argues for the need to establish more sustainable and scalable ways of incentivising pharmaceutical innovation in response to infectious disease threats to public health. It considers both past and current examples of efforts to mobilise pharmaceutical innovation in high commercial risk areas, including in the context of current efforts to respond to the COVID-19 pandemic. In global pandemic crises like COVID-19, the urgency and scale of the crisis – as well as the spotlight placed on pharmaceutical companies – mean that contributing to the search for effective medicines, vaccines or diagnostics is essential for socially responsible companies in the sector. 2 It is therefore unsurprising that we are seeing industry-wide efforts unfold at unprecedented scale and pace. Whereas there is always scope for more activity, industry is currently contributing in a variety of ways. Examples include pharmaceutical companies donating existing compounds to assess their utility in the fight against COVID19; screening existing compound libraries in-house or with partners to see if they can be repurposed; accelerating trials for potentially effective medicine or vaccine candidates; and in some cases rapidly accelerating in-house research and development to discover new treatments or vaccine agents and develop diagnostics tests.3,4 Pharmaceutical companies are collaborating with each other in some of these efforts and participating in global R&D partnerships (such as the Innovative Medicines Initiative effort to accelerate the development of potential therapies for COVID-19) and supporting national efforts to expand diagnosis and testing capacity and ensure affordable and ready access to potential solutions.3,5,6 The primary purpose of such innovation is to benefit patients and wider population health. Although there are also reputational benefits from involvement that can be realised across the industry, there are likely to be relatively few companies that are ‘commercial’ winners. Those who might gain substantial revenues will be under pressure not to be seen as profiting from the pandemic. In the United Kingdom for example, GSK has stated that it does not expect to profit from its COVID-19 related activities and that any gains will be invested in supporting research and long-term pandemic preparedness, as well as in developing products that would be affordable in the world’s poorest countries.7 Similarly, in the United States AbbVie has waived intellectual property rights for an existing combination product that is being tested for therapeutic potential against COVID-19, which would support affordability and allow for a supply of generics.8,9 Johnson & Johnson has stated that its potential vaccine – which is expected to begin trials – will be available on a not-for-profit basis during the pandemic.10 Pharma is mobilising substantial efforts to rise to the COVID-19 challenge at hand. However, we need to consider how pharmaceutical innovation for responding to emerging infectious diseases can best be enabled beyond the current crisis. Many public health threats (including those associated with other infectious diseases, bioterrorism agents and antimicrobial resistance) are urgently in need of pharmaceutical innovation, even if their impacts are not as visible to society as COVID-19 is in the immediate term. The pharmaceutical industry has responded to previous public health emergencies associated with infectious disease in recent times – for example those associated with Ebola and Zika outbreaks.11 However, it has done so to a lesser scale than for COVID-19 and with contributions from fewer companies. Similarly, levels of activity in response to the threat of antimicrobial resistance are still low.12 There are important policy questions as to whether – and how – industry could engage with such public health threats to an even greater extent under improved innovation conditions.

**Bioterror causes extinction.**

**Millett & Snyder-Beattie ‘17** [(Piers Millett: Ph.D., Senior Research Fellow, Future of Humanity Institute, University of Oxford. Andrew Snyder-Beattie: M.S., Director of Research, Future of Humanity Institute, University of Oxford.) " Existential Risk and Cost-Effective Biosecurity," Health Security, 15(4), 08-01-2017, https://www.liebertpub.com/doi/full/10.1089/hs.2017.0028] TDI

In the decades to come, advanced bioweapons could **threaten human existence**. Although the **probability** of human extinction from bioweapons **may** be low, the **expected value** of **reducing** the risk could **still** be **large**, since such risks jeopardize the existence of **all future generations**. We provide an overview of biotechnological extinction risk, make some rough initial estimates for how severe the risks might be, and compare the cost-effectiveness of reducing these extinction-level risks with existing biosecurity work. We find that reducing human extinction risk can be more cost-effective than reducing smaller-scale risks, even when using conservative estimates. This suggests that the risks are not low enough to ignore and that more ought to be done to prevent the worst-case scenarios. How worthwhile is it spending resources to study and mitigate the chance of human extinction from biological risks? The risks of such a catastrophe are presumably low, so a skeptic might argue that addressing such risks would be a waste of scarce resources. In this article, we investigate this position using a cost-effectiveness approach and ultimately conclude that the expected value of reducing these risks is large, especially since such risks jeopardize the existence of all future human lives. **Historically, disease events have been responsible for the greatest death tolls** on humanity. The 1918 flu was responsible for more than 50 million deaths,1 while smallpox killed perhaps 10 times that many in the 20th century alone.2 The Black Death was responsible for killing over 25% of the European population,3 while other pandemics, such as the plague of Justinian, are thought to have killed 25 million in the 6th century—constituting over 10% of the world's population at the time.4 It is an open question whether a future pandemic could result in outright human extinction or the irreversible collapse of civilization. A skeptic would have many good reasons to think that existential risk from disease is unlikely. Such a disease would need to spread worldwide to **remote populations**, overcome **rare genetic resistances**, and **evade detection**, cures, and **countermeasures**. Even evolution itself may work in humanity's favor: **Virulence and transmission is often a trade-off**, and so **evolutionary pressures** could push against maximally lethal wild-type pathogens.5,6 While these arguments point to a very small risk of human extinction, they **do not rule** the possibility **out** entirely. Although rare, there are recorded instances of **species going extinct due to disease**—primarily in amphibians, but also in 1 mammalian species of rat on Christmas Island.7,8 There are also **historical examples of large human populations being almost entirely wiped out** by disease, especially when multiple diseases were simultaneously introduced into a population without immunity. The most striking examples of total population collapse include **native American tribes** exposed to European diseases, such as the Massachusett (86% loss of population), Quiripi-Unquachog (95% loss of population), and the Western Abenaki (which suffered a staggering 98% loss of population).9 In the modern context, no single disease currently exists that combines the worst-case levels of transmissibility, lethality, resistance to countermeasures, and global reach. But **many diseases are proof** of principle that **each worst-case attribute can be realized independently**. For example, some diseases exhibit nearly a 100% case fatality ratio in the absence of treatment, such as rabies or septicemic plague. Other diseases have a track record of spreading to virtually every human community worldwide, such as the 1918 flu,10 and seroprevalence studies indicate that other pathogens, such as chickenpox and HSV-1, can successfully reach over 95% of a population.11,12 Under optimal virulence theory, **natural evolution** would be an **unlikely** source for pathogens with the **highest possible levels of transmissibility, virulence, and global reach**. But **advances in biotech**nology might allow the creation of diseases that **combine such traits**. Recent controversy has **already emerged** over a number of **scientific experiments** that resulted in viruses with enhanced **transmissibility**, **lethality**, and/or the ability to overcome **therapeutics**.13-17 Other experiments demonstrated that mousepox could be modified to have a 100% case fatality rate and render a vaccine ineffective.18 In addition to transmissibility and lethality, studies have shown that other disease traits, such as incubation time, environmental survival, and available vectors, could be modified as well.19-21 Although these experiments had scientific merit and were not conducted with malicious intent, their implications are still worrying. This is especially true given that there is also a **long historical track record** of**state-run bioweapon research** applying cutting-edge science and technology to design agents not previously seen in nature. The Soviet bioweapons program developed agents with traits such as enhanced virulence, resistance to therapies, greater environmental resilience, increased difficulty to diagnose or treat, and which caused unexpected disease presentations and outcomes.22 Delivery capabilities have also been subject to the cutting edge of technical development, with Canadian, US, and UK bioweapon efforts playing a critical role in developing the discipline of aerobiology.23,24 While there is no evidence of state-run bioweapons programs directly attempting to develop or deploy bioweapons that would pose an existential risk, the logic of deterrence and **m**utually **a**ssured **d**estruction could create such incentives in more unstable political environments or following a breakdown of the Biological Weapons Convention.25 The **possibility of a war** between great powers could also increase the pressure to use such weapons—during the World Wars, bioweapons were used across multiple continents, with Germany targeting animals in WWI,26 and Japan using plague to cause an epidemic in China during WWII.27

## 3

#### Interpretation: intellectual property protections is a generic bare plural. The aff may not defend that member nations of the World Trade Organization reduce a specific intellectual property protection

Nebel 19 Jake Nebel [Jake Nebel is an assistant professor of philosophy at the University of Southern California and executive director of Victory Briefs.] , 8-12-2019, "Genericity on the Standardized Tests Resolution," Briefly, https://www.vbriefly.com/2019/08/12/genericity-on-the-standardized-tests-resolution/ SM

Both distinctions are important. Generic resolutions can’t be affirmed by specifying particular instances. But, since generics tolerate exceptions, plan-inclusive counterplans (PICs) do not negate generic resolutions. Bare plurals are typically used to express generic generalizations. But there are two important things to keep in mind. First, generic generalizations are also often expressed via other means (e.g., definite singulars, indefinite singulars, and bare singulars). Second, and more importantly for present purposes, bare plurals can also be used to express existential generalizations. For example, “Birds are singing outside my window” is true just in case there are some birds singing outside my window; it doesn’t require birds in general to be singing outside my window. So, what about “colleges and universities,” “standardized tests,” and “undergraduate admissions decisions”? Are they generic or existential bare plurals? On other topics I have taken great pains to point out that their bare plurals are generic—because, well, they are. On this topic, though, I think the answer is a bit more nuanced. Let’s see why. 1.1 “Colleges and Universities” “Colleges and universities” is a generic bare plural. I don’t think this claim should require any argument, when you think about it, but here are a few reasons. First, ask yourself, honestly, whether the following speech sounds good to you: “Eight colleges and universities—namely, those in the Ivy League—ought not consider standardized tests in undergraduate admissions decisions. Maybe other colleges and universities ought to consider them, but not the Ivies. Therefore, in the United States, colleges and universities ought not consider standardized tests in undergraduate admissions decisions.” That is obviously not a valid argument: the conclusion does not follow. Anyone who sincerely believes that it is valid argument is, to be charitable, deeply confused. But the inference above would be good if “colleges and universities” in the resolution were existential. By way of contrast: “Eight birds are singing outside my window. Maybe lots of birds aren’t singing outside my window, but eight birds are. Therefore, birds are singing outside my window.” Since the bare plural “birds” in the conclusion gets an existential reading, the conclusion follows from the premise that eight birds are singing outside my window: “eight” entails “some.” If the resolution were existential with respect to “colleges and universities,” then the Ivy League argument above would be a valid inference. Since it’s not a valid inference, “colleges and universities” must be a generic bare plural. Second, “colleges and universities” fails the upward-entailment test for existential uses of bare plurals. Consider the sentence, “Lima beans are on my plate.” This sentence expresses an existential statement that is true just in case there are some lima beans on my plate. One test of this is that it entails the more general sentence, “Beans are on my plate.” Now consider the sentence, “Colleges and universities ought not consider the SAT.” (To isolate “colleges and universities,” I’ve eliminated the other bare plurals in the resolution; it cannot plausibly be generic in the isolated case but existential in the resolution.) This sentence does not entail the more general statement that educational institutions ought not consider the SAT. This shows that “colleges and universities” is generic, because it fails the upward-entailment test for existential bare plurals. Third, “colleges and universities” fails the adverb of quantification test for existential bare plurals. Consider the sentence, “Dogs are barking outside my window.” This sentence expresses an existential statement that is true just in case there are some dogs barking outside my window. One test of this appeals to the drastic change of meaning caused by inserting any adverb of quantification (e.g., always, sometimes, generally, often, seldom, never, ever). You cannot add any such adverb into the sentence without drastically changing its meaning. To apply this test to the resolution, let’s again isolate the bare plural subject: “Colleges and universities ought not consider the SAT.” Adding generally (“Colleges and universities generally ought not consider the SAT”) or ever (“Colleges and universities ought not ever consider the SAT”) result in comparatively minor changes of meaning. (Note that this test doesn’t require there to be no change of meaning and doesn’t have to work for every adverb of quantification.) This strongly suggests what we already know: that “colleges and universities” is generic rather than existential in the resolution. Fourth, it is extremely unlikely that the topic committee would have written the resolution with the existential interpretation of “colleges and universities” in mind. If they intended the existential interpretation, they would have added explicit existential quantifiers like “some.” No such addition would be necessary or expected for the generic interpretation since generics lack explicit quantifiers by default. The topic committee’s likely intentions are not decisive, but they strongly suggest that the generic interpretation is correct, since it’s prima facie unlikely that a committee charged with writing a sentence to be debated would be so badly mistaken about what their sentence means (which they would be if they intended the existential interpretation). The committee, moreover, does not write resolutions for the 0.1 percent of debaters who debate on the national circuit; they write resolutions, at least in large part, to be debated by the vast majority of students on the vast majority of circuits, who would take the resolution to be (pretty obviously, I’d imagine) generic with respect to “colleges and universities,” given its face-value meaning and standard expectations about what LD resolutions tend to mean.

#### It applies to medicines:

#### Upward entailment test – spec fails the upward entailment test because saying that nations ought to reduce one ipp doesn’t mean we should reduce all ipp

#### Adverb test – adding “usually” to the res doesn’t substantially change its meaning because a reduction is universal and permanent

#### Vote neg:

#### Semantics outweigh:

#### T is a constitutive rule of the activity and a basic aff burden – they agreed to debate the topic when they came here

#### Jurisdiction – you can’t vote aff if they haven’t affirmed the resolution

#### It’s the only stasis point we know before the round so it controls the internal link to engagement – there’s no way to use ground if debaters aren’t prepared to defend it

#### Limits – there are countless affs accounting for thousands of ip protections– unlimited topics incentivize obscure affs that negs won’t have prep on – limits are key to reciprocal prep burden – potential abuse doesn’t justify foregoing the topic and 1AR theory checks PICs. 1] Aff Limits are worse: a) specification forces the neg to bad pics that don't clash and produce stale debates. b]  infinite prep means that the aff can check back against pics while the neg won't have case-specific offense

#### No offense - either PICs are abusive and spikes and theory checks and you don't need spec OR PICs aren't abusive and you don't need spec. Potential abuse doesn't justify aff abuse - just cause the neg couldread PICs or aprioris doesn't mean the aff gets to be abusive themselves

#### Ground – spec guts core generics like innovation that rely on reducing all IP bcs each ip doesn’t affect the industry broadly

#### TVA solves – read as an advantage to whole rez

## Case

#### Tl

#### Not reverse cusal

#### No brightline

#### Unpatented medicine cause counterfeits—

Lynbecker 16 [(Kristina M. L. Acri née, an Associate Professor of Economics at Colorado College in Colorado Springs, where she is also the Associate Chair of the Department of Economics and Business and the Gerald L. Schlessman Professor of Economics. Dr. Lybecker’s research analyzes the difficulties of strengthening intellectual property rights protection in developing countries, specifically special problems facing the pharmaceutical industry.) “Counterfeit Medicines and the Role of IP in Patient Safety,” IPWatchDog, 7/27/16. <https://www.ipwatchdog.com/2016/06/27/counterfeit-medicines-ip-patient-safety/id=70397/>] RR

The threat of counterfeit goods took center stage on June 15th in a hearing convened by Senate Finance Committee Chairman Orrin Hatch (R-Utah). Focusing on trade opportunities and challenges for American businesses in the digital age, Senator Hatch stated:

“The Organization for Economic Co-Operation and Development (OECD) recently released a study that shows that counterfeit products accounted for up to 2.5 percent of world trade, or $461 billion, in 2013. This is a dramatic increase from a 2008 estimate that showed that fake products accounted for less than half that amount. Counterfeits are a worldwide problem, but the OECD estimates that the United States is the hardest hit, followed by Italy and France. Of the estimated $461 billion in counterfeit trade in 2013, goods with registered intellectual property rights in the U.S. represented 20 percent, or $92 billion, of the OECD estimate.”[1]

As the author of the chapter on illicit trade in counterfeit medicines within the OECD report, I worry that global policymakers may be working against each other when it comes to battling counterfeit drugs, especially in the context of intellectual property rights. While the Senate Hearing and the OECD report highlight the importance of strong IP protection in combating the growing threat of counterfeit goods, their efforts coincide with an initiative by the UN Secretary-General that has the potential to greatly worsen the problems of counterfeit pharmaceuticals. UN Secretary General Ban Ki Moon’s High Level Panel on Access to Medicines proposes “to review and assess proposals and recommend solutions for remedying the policy incoherence between the justifiable rights of inventors, international human rights law, trade rules and public health in the context of health technologies.”[2] The High Level Panel is a thinly veiled attempt to undermine the intellectual property rights architecture that incentivizes pharmaceutical innovation and protects patients from counterfeit medicines.

While patents and other forms of intellectual property rights are widely recognized as fostering pharmaceutical innovation, they also serve to inhibit counterfeiting. The World Health Organization has determined that counterfeiting is facilitated where “there is weak drug regulatory control and enforcement; there is a scarcity and/or erratic supply of basic medicines; there are extended, relatively unregulated markets and distribution chains, both in developing and developed country systems; price differentials create an incentive for drug diversion within and between established channels; there is lack of effective intellectual property protection; due regard is not paid to quality assurance”.[3]

[Kristina]

According to INTERPOL estimates, approximately 30 percent of drugs sold worldwide are counterfeit.[4] However, as is the case with many other counterfeit trade statistics, the origins of this figure are somewhat uncertain, as is the methodology used to make the calculation. Perhaps the most widely-cited statistic originates from the World Health Organization, which estimates that 10 percent of the global market for pharmaceuticals is comprised of counterfeits and reports place the share in some developing countries as high as 50-70%.[5]

While difficult to measure, estimates do exist on the extent of the market for counterfeit drugs and the harm done to human health. As noted in my chapter in the OECD report,

“INTERPOL estimates that more than one million people die each year from counterfeit drugs.[6] While counterfeit drugs seem to primarily originate in Asia, Asian patients are also significantly victimized by the problem. A 2005 study published in PLoS Medicine estimate that 192,000 people are killed in China each year by counterfeit medicines.[7] According to work done by the International Policy Network, an estimated 700,000 deaths from malaria and tuberculosis are attributable to fake drugs. [8] The World Health Organization presents a much more modest number noting that malaria claims one million lives annually and as many as 200,000 may be attributed to counterfeit medicines which would be avoidable if the medicines available were effective, of good quality and used correctly.[9] Even this number is double that presented by academic researchers Amir Attaran and Roger Bate who claim that each year more than of 100,000 people around the world may die from substandard and counterfeit medications.[10]” [11]

Given the devastating impact of counterfeit medicines on patients and the importance of intellectual property protection in combating pharmaceutical counterfeiting, it is troubling that the UN High Level Panel seems poised to prevent a series of recommendations that will undermine public health under the guise of enhancing access. Without the assurance of quality medicines, access is meaningless. Moreover, while falsely presenting intellectual property rights as the primary obstacle to global health care, the High Level Panel downplays a host of other factors that prevent developing country patients from getting the drugs they need: inadequate medical infrastructure, insufficient political will, a shortage of clinical trials in nations where neglected diseases are endemic, poverty, and insufficient market incentives.

#### Generic medicine is dangerous—contamination and unsanitary manufacturing conditions.

White 19 [(C. Micheal, Professor and Head of the Department of Pharmacy Practice, University of Connecticut) “Why your generic drugs may not be safe and the FDA may be too lax” The Conversation, 12/4/19. <https://theconversation.com/why-your-generic-drugs-may-not-be-safe-and-the-fda-may-be-too-lax-125529>] RR

This leads to a vital question: Are generics safe? If drug manufacturers followed the FDA’s strict regulations, the answer would be a resounding yes. Unfortunately for those who turn to generics to save money, the FDA relies heavily on the honor system with foreign manufacturers, and U.S. consumers get burned. Eighty percent of the active ingredients and 40% of the finished generic drugs used in the U.S. are manufactured overseas.

As a pharmacist, I know that the safety of prescription medications is vital. My research, recently published in the “Annals of Pharmacotherapy,” raises alarming concerns about our vulnerabilities.

Do experts have something to add to public debate?

Where are your drugs being made?

A pharmacist at a drug plant outside Mumbai in 2012, shortly after a change in patent law allowed production of a generic cancer drug. Rafiq Mugbool/AP Photo

Generic drug manufacturers either make bulk powders with the active ingredient in them or buy those active ingredients from other companies and turn them into pills, ointments or injectable products.

In 2010, 64% of foreign manufacturing plants, predominantly in India and China, had never been inspected by the FDA. By 2015, 33% remained uninspected.

In addition, companies in other countries are informed before an inspection, giving them time to clean up a mess. Domestic inspections are unannounced.

Faking results

The FDA informs manufacturing plants in other countries when it plans to inspect their plants. Andrew Harnik/AP Photo

As I detail in my paper, when announced foreign FDA inspections began to occur in earnest between 2010 and 2015, numerous manufacturing plants were subsequently barred from shipping drugs to the U.S. after the inspections uncovered shady activities or serious quality defects.

Unscrupulous foreign producers shredded documents shortly before FDA visits, hid documents offsite, altered or manipulated safety or quality data or utilized unsanitary manufacturing conditions. Ranbaxy Corporation pleaded guilty in 2013 to shipping substandard drugs to the U.S. and making intentionally false statements. The company had to withdraw 73 million pills from circulation, and the company paid a $500 million fine.

These quality and safety issues can be deadly. In 2008, 100 patients in the U.S. died after receiving generic heparin products from foreign manufacturers. Heparin is an anticoagulant used to prevent or treat blood clots in about 10 million hospitalized patients a year and is extracted from pig intestines.

Some of the heparin was fraudulently replaced with chondroitin, a dietary supplement for joint aches, that had sulphur groups added to the molecule to make it look like heparin.

One of the heparin manufacturers inspected by the FDA received a warning letter after it was found to have used raw material from uncertified farms, used storage equipment with unidentified material adhering to it and had insufficient testing for impurities.

These issues continue to this day. Dozens of blood-pressure and anti-ulcer drugs were recalled in 2018 and 2019 due to contamination with the potentially carcinogenic compounds N-nitrosodimethylamine or N-nitrosodiethylamine.

One of the major producers of these active ingredient powders used by multiple generic manufacturers was inspected in 2017. The FDA found that the company fraudulently omitted failing test results and replaced them with passing scores.

This raises a critical question: How many more violations would occur with inspections occurring as frequently as they do in the U.S., and more importantly, if they were unannounced? Relatively speaking, the number of drugs proved to be tainted or substandard has been small, and the FDA has made some progress since 2010. But the potential for harm is still great.