### 1

#### Interpretation: Debaters must not cut cards in the middle of a paragraph.

#### Violation – its egregious – the card ends before the last sentence THAT JUSTIFIES A UTIL SPIN – says that we should maximize the pleasure of other agents – you should also hold the line on the 1ar reasonability arguments since there wasn’t even a link to the pdf which supercharges abuse.

Screenshots here:

[http://www.people.fas.harvard.edu/~korsgaar/CMK.Two.Distinctions.pdf](http://www.people.fas.harvard.edu/~korsgaar/CMK.Two.Distinctions.pdf?fbclid=IwAR2LA7OiCuhmkQHHA_bLCnVNcZqGQV6iLF5PHBbyBSkcTNsTRpmRzRLzNQo)

Application

Description automatically generatedA page of a book

Description automatically generated with low confidence

#### Standard is academic ethics – cutting the card in the middle of a paragraph is a voter – their ev starts and ends in the middle – misrepresents authors intent because paragraphs are how authors delineate arguments. Also allows debaters to manipulate evidence and strategically leave out what contradicts with their arguments – putting rest of the uncut paragraph in the doc solves all your offense unless your intent was to cheat which is even worse.

#### Academic ethics is a voter and ow a) what we gain from debate means nothing if we’re academically dishonest and have no cred, b) the purpose of debate is to prepare debaters for the real world, and academic dishonesty is punished irl c) if they’re willing to be manipulate their evidence, be epistemically suspect of all of it, especially if they have intentionally cut out a part of the card that proves their theory wrong

#### No RVI’s on ev ethics violations – you don’t win for proving that you were academically honest and that’s ridiculous. Saying “we meet” checks abuse. RVI’s bad, they deter from checking actual abuse and justify 100 apriori non inherent affs.

#### Drop the debater: it’s academic misconduct that should disqualify any other argument they make from counting. Doing good on a test doesn’t matter if you cheated. That’s a side constraint on their fairness offense so even if they win a spike the shell outweighs.

#### The 1AR will make appeals to reasonability or intention – reject them:

#### 1] All our violations prove the aff is unreasonable and you should not believe any of their appeals since their author literally says otherwise

#### 2] Intent is irrelevant – we should be held accountable for the consequences of our actions. If they didn’t cut it it’s more egregious – they stole miscut cards from someone and clearly didn’t bother to check. The fact that they recut it should prove its not an accident – they checked AND STILL left it out

#### 3] It makes reading unethical ev no cost – if they’re caught, they can go for other things, if they’re not caught they get to win on no cost ev

#### 4] Reject the team for deterrence – letting them win encourages the practice

#### 5] Competing interps – reasonability’s arbitrary and collapses to an offense defense paradigm

### 2

#### Interpretation: when evidence is introduced in round, it must be read as a full cut card and not paraphrased.

#### Violation: they paraphrase the definitions for truth testing

#### Standards:

#### 1)  Evidence Ethics- Paraphrasing reduces ev to biased two-sentence summaries – proven by the widespread use of misconstrued evidence. Cards ensure tags are grounded in direct quotes and make it easier to check for misrepresentation which deters cheating.

#### 2) Prep skew- If we want to know the quote of their evidence, not only does it require us to use prep time while they don’t have to, but it also takes longer to read through the parts they paraphrased than our quotes.

DTD to deter future abuse and set good norms

CI – reasonability is arbitrary and collapses

No RVI – illogical, and encourages baiting

Don’t let them weigh case against this argument

### 3

#### The standard is minimizing death- Our framework is only concerned with saving lives. Calc indicts don’t link—my framework evaluates offense—climate change is bad because as far as we know, is would cause suff. ,ering.

#### [1] Death outweighs— [a] agents can’t act if they fear for their bodily security—my framework constrains every NC and K and [b] it’s the worst form of evil

Paterson 3 – Department of Philosophy, Providence College, Rhode Island (Craig, “A Life Not Worth Living?”, Studies in Christian Ethics.

Contrary to those accounts, I would argue that it is death per se that is really the objective evil for us, not because it deprives us of a prospective future of overall good judged better than the alter- native of non-being. It cannot be about harm to a former person who has ceased to exist, for no person actually suffers from the sub-sequent non-participation. Rather, death in itself is an evil to us because it ontologically destroys the current existent subject — it is the ultimate in metaphysical lightening strikes.80 The evil of death is truly an ontological evil borne by the person who already exists, independently of calculations about better or worse possible lives. Such an evil need not be consciously experienced in order to be an evil for the kind of being a human person is. Death is an evil because of the change in kind it brings about, a change that is destructive of the type of entity that we essentially are. Anything, whether caused naturally or caused by human intervention (intentional or unintentional) that drastically interferes in the process of maintaining the person in existence is an objective evil for the person. What is crucially at stake here, and is dialectically supportive of the self-evidency of the basic good of human life, is that death is a radical interference with the current life process of the kind of being that we are. In consequence, death itself can be credibly thought of as a ‘primitive evil’ for all persons, regardless of the extent to which they are currently or prospectively capable of participating in a full array of the goods of life.81  In conclusion, concerning willed human actions, it is justifiable to state that any intentional rejection of human life itself cannot therefore be warranted since it is an expression of an ultimate disvalue for the subject, namely, the destruction of the present person; a radical ontological good that we cannot begin to weigh objectively against the travails of life in a rational manner. To deal with the sources of disvalue (pain, suffering, etc.) we should not seek to irrationally destroy the person, the very source and condition of all human possibility.82

#### 2] Actor spec—governments must use util because they don’t have intentions and are constantly dealing with tradeoffs—outweighs since different agents have different obligations—takes out calc indicts since they are empirically denied.

#### 3] No intent-foresight distinction for states.

Enoch 07 Enoch, D [The Faculty of Law, The Hebrew Unviersity, Mount Scopus Campus, Jersusalem]. (2007). INTENDING, FORESEEING, AND THE STATE. Legal Theory, 13(02). doi:10.1017/s1352325207070048 https://www.cambridge.org/core/journals/legal-theory/article/intending-foreseeing-and-the-state/76B18896B94D5490ED0512D8E8DC54B2

The general difficulty of the intending-foreseeing distinction here stemmed, you will recall, from the feeling that attempting to pick and choose among the foreseen consequences of one’s actions those one is more and those one is less responsible for looks more like the preparation of a defense than like a genuine attempt to determine what is to be done. Hiding behind the intending-foreseeing distinction seems like an attempt to evade responsibility, and so thinking about the distinction in terms of responsibility serves 39. Anderson & Pildes, supra note 38. I will use this text as my example of an expressive theory here. 40. See id. at 1554, 1564. 41. For a general critique, see Mathew D. Adler, Expressive Theories of Law: A Skeptical Overview, 148 U. PA. L. REV. 1363 (1999–2000). 42. As Adler repeatedly notes, the understanding of expression Anderson & Pildes work with is amazingly broad, so that “To express an attitude through action is to act on the reasons the attitude gives us”; Anderson & Pildes, supra note 38, at 1510. If this is so, it seems that expression drops out of the picture and everything done with it can be done directly in terms of reasons. 43. This may be true of what Anderson and Pildes have in mind when they say that “expressive norms regulate actions by regulating the acceptable justifications for doing them”; id. at 1511. http://journals.cambridge.org Downloaded: 03 Aug 2014 IP address: 134.153.184.170 Intending, Foreseeing, and the State 91 to reduce even further the plausibility of attributing to it intrinsic moral significance. This consideration—however weighty in general—seems to me very weighty when applied to state action and to the decisions of state officials. For perhaps it may be argued that individuals are not required to undertake a global perspective, one that equally takes into account all foreseen consequences of their actions. Perhaps, in other words, individuals are entitled to (roughly) settle for having a good will, and beyond that let chips fall where they may. But this is precisely what stateswomen and statesmen—and certainly states—are not entitled to settle for.44 In making policy decisions, it is precisely the global (or at least statewide, or nationwide, or something of this sort) perspective that must be undertaken. Perhaps, for instance, an individual doctor is entitled to give her patient a scarce drug without thinking about tomorrow’s patients (I say “perhaps” because I am genuinely not sure about this), but surely when a state committee tries to formulate rules for the allocation of scarce medical drugs and treatments, it cannot hide behind the intending-foreseeing distinction, arguing that if it allows45 the doctor to give the drug to today’s patient, the death of tomorrow’s patient is merely foreseen and not intended. When making a policy-decision, this is clearly unacceptable. Or think about it this way (I follow Daryl Levinson here):46 perhaps restrictions on the responsibility of individuals are justified because individuals are autonomous, because much of the value in their lives comes from personal pursuits and relationships that are possible only if their responsibility for what goes on in the (more impersonal) world is restricted. But none of this is true of states and governments. They have no special relationships and pursuits, no personal interests, no autonomous lives to lead in anything like the sense in which these ideas are plausible when applied to individuals persons. So there is no reason to restrict the responsibility of states in anything like the way the responsibility of individuals is arguably restricted.47 States and state officials have much more comprehensive responsibilities than individuals do. Hiding behind the intending-foreseeing distinction thus more clearly constitutes an evasion of responsibility in the case of the former. So the evading-responsibility worry has much more force against the intending-foreseeing distinction when applied to state action than elsewhere.

#### Util is key to debates about IP.

Kar 19 [Mohit; Writer at the Original Position; “Utilitarianism in the Context of Intellectual Property,” The Original Position; 9/18/19; <https://originalpositionnluj.wordpress.com/2019/09/18/utilitarianism-in-the-context-of-intellectual-property/>] Justin

Jeremy Bentham is known as the founder of modern utilitarianism. He believed in production of the greatest possible quantity of happiness, on the part of those whose interest is in view. With regards to intellectual property, he had opined that inventors and authors should be given absolute privilege over their work, which would ensure they get remunerated duly for their work, thus leading to further creative actions being taken by them. In this article, the author will make an analysis of the utilitarian theory as proposed by Jeremy Bentham and its interplay with Intellectual Property.

According to utilitarians, the main purpose of property rights is the maximization of common well-being.[i] According to Jeremy Bentham, the common well-being here mentioned is the good for the greatest number of people in a population. He defined the principle of utility as carrying an object of production of maximum happiness in a given time in a particular society.[ii]

The wealth of a society consists of the cumulative wealth of each of its individual members. The most effective way to increase individual wealth is to leave the management of wealth to the individual himself, since – between the individual and the government – it is the individual who can best manage his own wealth. The society gains benefits because the increase in individual wealth is also the increase of collective wealth. Sharing this wealth is managed by the government, through taxes. Bentham argued that the value of outcome of a society is positive if the total quantity of pleasure gained by each individual under its influence is greater than the total quantity of pain.[iii] Thus, Bentham put stress on the happiness and wealth of individuals in a society.

Jeremy Bentham’s utilitarianism advocates the maximization of common well-being and the proper use of resources available. To show us a practical point of view, he criticized the kind of trade strategies where a country prevents the purchase of cheaper products from another country only to protect its market. In his opinion, to pay more for a product that can be manufactured elsewhere with the same quality standards only to favor the national industry is a waste of resources.[iv] Bentham believed that trade barriers to foreign imports cannot increase trade and commerce in a particular country.[v] He termed it as a necessary evil which would give rise to monopolies and lower the quality of production.[vi]

Transposing this theory to intellectual property rights, for the maximization of common welfare to be made, the legislators should strike a balance between, the monopoly of rights to stimulate creation and giving access to the population to inventions. Bentham defended the idea of ​​a limited period of protection for patents and he believed in the absolute privilege of the inventor, so that the latter can recover the amounts invested during the inventive process, while being paid for his creative activity.[vii] The right must also help the inventor since without any laws to protect him; any third party could copy his invention and thus enjoy his work without any compensation being granted. The logic to defend the monopoly stems from the fact that, without the latter, the inventor would not be encouraged to put his product or invention on the market. In this case, it would be the society that would have lost wealth which could have been added to the common well-being. In the name of enriching common well-being, Bentham stresses the importance of patents in a society and even argues that their concession should be a free service offered to inventors.[viii]

The contemporary version of this theory has been presented to us by William Landes and Richard Posner in two separate works, one on copyright and the other on trademark law.[ix] Economic analysis of intellectual property rights presented by these two authors demonstrates that the protection of intellectual property may be too expensive for society and it limits the use of products. If we extrapolate a little, this contemporary utilitarian vision can assert that the products by intellectuals should be easily copied since the copies of a product do not prevent the use of the same product by several people.

William Landes and Richard Posner consider the creative process as divided into two parts.[x] If we use a book as an example, its production is split between the part comprising author’s time and effort plus publishing costs, and the second part includes publication and distribution costs of the book. Generally, it is the first of these two elements that demands the most investment. The second will be more or less expensive, depending on the quantity of copies that will be produced. When the work is complete, its reproduction does not require any investment at the creative level. Hence, they stated that striking a correct balance between access and incentives is one of the central problems of copyright law.[xi] In this way, as already mentioned, the lack of remuneration of creators for the exploitation of their works may have as a consequence the diminution of the cultural wealth of a society, given that the creators will not have the desire to continue to create unless paid. It is important to note that the lack of protection conferred by copyright would not change this problem. In a society where copyright protection does not exist, a book could be easily copied without the act of copying being considered an offense. When the contemporary utilitarian vision is applied, it indicates that the benefits that they bring to a society are: It makes it easier for consumers to choose the product which has the qualities corresponding most to its needs. Since consumers already know the brand, they should not search among a whole range of products available on the market; It encourages producers to maintain good quality of their products, because consumers associate the product quality with the brand attached to it; It improves the language. Landes and Posner believe that the brands create new words that end up being incorporated in the lexicon of the language.[xii]

Suppose the utilitarian theory – that of Bentham, or Posner’ and Landes’ – would be applied to intellectual property as it stands today: the benefits that would be brought to society by this analysis would be the incentive for creativity, the optimization of production and the disappearance or diminution of similar inventions made by different individuals.

Among these three advantages, we can consider the incentive to creation as the most important. In this case, the monopoly guaranteed by intellectual property stimulates creation in a society and, especially with regard to patents; inventions will bring more happiness and pleasure to society in general. This justifying argument is in harmony with Bentham’s utilitarianism. The problem here is that no one really knows what kind of invention would bring more or less happiness or pleasure to the society. Moreover, the term “monopoly concession” for patents, trademarks and copyright is not based on any empirical or objective study and is rather random.

Optimization of production sees ownership monopolies intellectual property as a “service” to society since data from sale indicates the products for which the company has the most need. This approach could even justify increasing the period of protection of intellectual property products. The logic here is that the decrease in the protection period or even the removal of the protection would deprive the producers of information that enables them to optimize their production. Thereby, the withdrawal or diminution of protection could even be considered harmful to society. However, if we do not impose limitations to this theory, the result could be a disparity of investments in intellectual property over investments in other areas, such as education and health, as well as in general research activities.

CONCLUSION

Utilitarianism, as it stands today, is intimately linked to the information obtained from the use of intellectual property monopolies. The goal is to avoid duplication of production. The problem in this case is that in a society which values ​​and encourages the production of new patents and new technologies, the plethora of patents complicates the process. This finding is based on the fact that new inventions normally rely on existing patents and the production of a new patented product will require a large number of licenses before it can begin. As Richard Posner said in his blog: ‘Patents are a source of great social costs, and only occasionally of commensurate benefits. Most firms do not actually want patents; for those firms, the costs involved in obtaining licenses from patentees are not offset by the prospect of obtaining license fees on their own patents.’

#### Outweighs –

#### A] Most articles about IP are written through util – means other frameworks can never engage with core questions of the lit and decks predictability – equal topic lit means fair ground.

#### B] TJFs first – substance begs the question of a framework being good for debate – fairness is a gateway issue to deciding the winner and education is the reason schools fund debate.

#### 2) util is the baseline introduction to debate and the most accessible, other fw’s require coaches to learn which are expensive B. TJFs first – substance begs the question of a framework being good for debate, 2) fw debates are functionally topicality debates of the word ought so they have to be theoretically justified

#### Impact calc – extinction outweighs

#### A] Objectivity- body count is the most objective way to calculate impacts because comparing suffering is unethical

#### B] Uncertainty- if we’re unsure about which interpretation of the world is true, we should preserve the world to keep debating about it

### 4

#### Pharma innovation high now – monetary incentive is the biggest factor.

**Swagel 21** Phillip L. Swagel, Director of the Congressional budget office 4-xx-2021, "Research and Development in the Pharmaceutical Industry," Congressional Budget Office, <https://www.cbo.goc/publication/57126#_idTextAnchor020> SJ//DA

**Every year, the U.S. pharmaceutical industry develops a variety of new drugs that provide valuable medical benefits. Many of those drugs are expensive and contribute to rising health care costs for the private sector and the federal government. Policymakers have considered policies that would lower drug prices and reduce federal drug expenditures. Such policies would probably reduce the industry’s incentive to develop new drugs.** In this report, the Congressional Budget Office assesses trends in spending for drug research and development (R&D) and the introduction of new drugs. CBO also examines factors that determine how much drug companies spend on R&D: expected global revenues from a new drug; cost to develop a new drug; and federal policies that affect the demand for drug therapies, the supply of new drugs, or both. What Are Recent Trends in Pharmaceutical R&D and New Drug Approvals? T**he pharmaceutical industry devoted $83 billion to R&D expenditures in 2019. Those expenditures covered a variety of activities, including discovering and testing new drugs, developing incremental innovations such as product extensions, and clinical testing for safety-monitoring or marketing purposes. That amount is about 10 times what the industry spent per year in the 1980s, after adjusting for the effects of inflation.** The share of revenues that drug companies devote to R&D has also grown: **On average, pharmaceutical companies spent about one-quarter of their revenues (net of expenses and buyer rebates) on R&D expenses** in 2019, which is **almost twice as large a share of revenues as they spent in 2000.** That revenue share is larger than that for other knowledge-based industries, such as semiconductors, technology hardware, and software. The number of new drugs approved each year has also grown over the past decade. On averace, the Food and Drug Administration (FDA) approved 38 new drugs per year from 2010 through 2019 (with a peak of 59 in 2018), which is 60 percent more than the yearly average over the previous decade. **Many of the drugs that have been approved in recent years are “specialty drugs.” Specialty drugs generally treat chronic, complex, or rare conditions, and they may also require special handling or monitoring of patients**. Many specialty drugs are biologics (large-molecule drugs based on living cell lines), **which are costly to develop, hard to imitate, and frequently have high prices.** Previously, most drugs were small-molecule drugs based on chemical compounds. Even while they were under patent, those drugs had lower prices than recent specialty drugs have. Information about the kinds of drugs in current clinical trials indicates that much of the industry’s innovative activity is focused on specialty drugs that would provide new cancer therapies and treatments for nervous-system disorders, such as Alzheimer’s disease and Parkinson’s disease. **What Factors Influence Spending for R&D?** Drug companies’ R&D spending decisions depend on three main factors: Anticipated lifetime global revenues from a new drug, **Expected costs to develop a new drug**, and Policies and programs that influence the supply of and demand for prescription drugs. Various considerations inform companies’ expectations about a drug’s revenue stream, including the anticipated prices it could command in different markets around the world and the expected global sales volume at those prices (given the number of people who might use the drug). The prices and sales volumes of existing drugs provide information about consumers’ and insurance plans’ willingness to pay for drug treatments. Importantly, when drug companies set the prices of a new drug, they do so to maximize future revenues net of manufacturing and distribution costs. A drug’s sunk R&D costs—that is, the costs already incurred in developing that drug—do not influence its price. **Developing new drugs is a costly and uncertain process, and many potential drugs never make it to market. Only about 12 percent of drugs entering clinical trials are ultimately approved for introduction by the FDA. In recent studies, estimates of the average R&D cost per new drug range from less than $1 billion to more than $2 billion per drug**. Those estimates include the costs of both laboratory research and clinical trials of successful new drugs as well as expenditures on drugs that do not make it past the laboratory-development stage, that enter clinical trials but fail in those trials or are withdrawn by the drugmaker for business reasons, or that are not approved by the FDA. Those estimates also include the company’s capital costs—the value of other forgone investments—incurred during the R&D process. Such costs can make up a substantial share of the average total cost of developing a new drug. The development process often takes a decade or more, and during that time the company does not receive a financial return on its investment in developing that drug. The federal government affects R&D decisions in three ways. First, it increases demand for prescription drugs, which encourages new drug development, by fully or partially subsidizing the purchase of prescription drugs through a variety of federal programs (including Medicare and Medicaid) and by providing tax preferences for employment-based health insurance. Second, the federal government increases the supply of new drugs. It funds basic biomedical research that provides a scientific foundation for the development of new drugs by private industry. Additionally, tax credits—both those available to all types of companies and those available to drug companies for developing treatmentscof uncommon diseases—provide incentives to invest in R&D. Similarly, deductions for R&D investment can be used to reduce tax liabilities immediately rather than over the life of that investment. Finally, the patent system and certain statutory provisions that delay FDA approval of generic drugs provide pharmaceutical companies with a period of market exclusivity, when competition is legally restricted. During that time, they can maintain higher prices on a patented product than they otherwise could, which makes new drugs more profitable and thereby increases drug companies’ incentives to invest in R&D. Third, some federal policies affect the number of new drugs by influencing both demand and supply. For example, federal recommendations for specific vaccines increase the demand for those vaccines and provide an incentive for drug companies to develop new ones. Additionally, federal regulatory policies that influence returns on drug R&D can bring about increases or decreases in both the supply of and demand for new drugs. Trends in R&D Spending and New Drug Development Private spending on pharmaceutical R&D and the approval of new drugs have both increased markedly in recent years, resuming a decades-long trend that was interrupted in 2008 as generic versions of some top-selling drugs became available and as the 2007–2009 recession occurred. **In particular, spending on drug R&D increased by nearly 50 percent between 2015 and 2019.** Many of the drugs approved in recent years are high-priced specialty drugs for relatively small numbers of potential patients. By contrast, the top-selling drugs of the 1990s were lower-cost drugs with large patient populations. R&D Spending R&D spending in the pharmaceutical industry covers a variety of activities, including the following: Invention, or research and discovery of new drugs; Development, or clinical testing, preparation and submission of applications for FDA approval, and design of production processes for new drugs; Incremental innovation, including the development of new dosages and delivery mechanisms for existing drugs and the testing of those drugs for additional indications; Product differentiation, or the clinical testing of a new drug against an existing rival drug to show that the new drug is superior; and Safety monitoring, or clinical trials (conducted after a drug has reached the market) that the FDA may require to detect side effects that may not have been observed in shorter trials when the drug was in development. In real terms**, private investment in drug R&D among member firms of the Pharmaceutical Research and Manufacturers of America (PhRMA), an industry trade association, was about $83 billion in 2019, up from about $5 billion in 1980 and $38 billion in 2000**.1 Although those spending totals do not include spending by many smaller drug companies that do not belong to PhRMA, the trend is broadly representative of R&D spending by the industry as a whole.2 A survey of all U.S. pharmaceutical R&D spending (including that of smaller firms) by the National Science Foundation (NSF) reveals similar trends.3 Although total R&D spending by all drug companies has trended upward, small and large firms generally focus on different R&D activities. **Small companies not in PhRMA devote a greater share of their research to developing and testing new drugs,** many of which are ultimately sold to larger firms (see Box 1). By contrast, a greater portion of the R&D spending of larger drug companies (including those in PhRMA) is devoted to conducting clinical trials, developing incremental “line extension” improvements (such as new dosages or delivery systems, or new combinations of two or more existing drugs), and conducting postapproval testing for safety-monitoring or marketing purposes.

#### The aff crushes innovation in the pharma sector---incentivizes them to focus on non-important issues.

Glassman 21 [Amanda; 5/6/21; Executive vice president and a senior fellow at the Center for Global Development, a nonpartisan, nonprofit think tank in Washington and London; “*Big Pharma Is Not the Tobacco Industry*,” Barron, <https://www.barrons.com/articles/big-pharma-is-not-the-tobacco-industry-51620315693>] Justin

But here is the crux of the problem: The pharmaceutical industry is not the tobacco industry. They are not merchants of death. The companies are amoral and exist to make money, but their business is not fundamentally immoral. Big Pharma (mostly) develops and sells products that people need to survive and thrive. Their products improve health and welfare. Fights over access to medicines are possible because medicines exist in the first place—medicines that were usually developed by Big Pharma. And yes, the pharmaceutical industry benefits from public subsidy and publicly financed foundational research. But the companies also put their own capital at risk to develop new products, some of which offer enormous public benefits. In fact, several of them did just that in the pandemic: invested their own money to develop patented manufacturing technologies in record time. Those technologies are literally saving the world right now. Public funding supported research and development, but companies also brought their own proprietary ingenuity and private investments to bear toward solving the world’s singular, collective challenge. Their reward should be astronomical given the insane scale of the health and economic benefits these highly efficacious vaccines produce every day. Market incentives sent a clear signal that further needed innovation—greater efficacy, single doses, more-rapid manufacturing, updated formulations, fast boosters, and others—would be richly rewarded. Market incentives could also have been used to lubricate supply lines and buy vaccines on behalf of the entire world; with enough money, incredible things can happen. But activist lobbying to waive patents—a move the Biden administration endorsed yesterday—sends exactly the opposite signal. It says that the most important, valuable innovations will be penalized, not rewarded. It tells innovators, don’t bother attacking the most important global problems; instead, throw your investment dollars at the next treatment for erectile disfunction, which will surely earn you a steady return with far less agita. It is worth going back to first principles. What problem are we trying to solve? We have highly efficacious vaccines that we would like to get out to the entire world as quickly as possible to minimize, preventable disease and deaths address atrocious inequities, and enable the reopening of society, trade, and commerce. Hundreds of millions of people have been plunged into poverty over the past year; in the developing world, the pandemic is just getting started. What is the quickest way to get this done? Vaccine manufacturing is not just a recipe; if you attack and undermine the companies that have the know-how, do you really expect they’ll be eager to help you set up manufacturing elsewhere? Is the plan to march into Pfizer and force its staff to redeploy to Costa Rica to build a new factory? Do the U.S. administration or activists care that this decision could take years to negotiate at the World Trade Organization, and will likely be litigated for years thereafter? Does it make sense to eliminate the incentive for private companies to invest in vaccine R&D or in the response to the next health emergency? And if the patent waiver is only temporary and building a factory takes months or years, will anyone bother to do so, even if they could? No, none of it makes sense. Worse still, we could solve the policy problem more easily by harnessing market incentives for the global good by ponying up cash to vaccinate the entire world. No confiscation necessary.

#### Pharma Innovation prevents Extinction – checks new diseases.

Engelhardt 8, H. Tristram. Innovation and the pharmaceutical industry: critical reflections on the virtues of profit. M & M Scrivener Press, 2008 (doctorate in philosophy (University of Texas at Austin), M.D. (Tulane University), professor of philosophy (Rice University), and professor emeritus at Baylor College of Medicine)

Many are suspicious of, or indeed jealous of, the good fortune of others. Even when profit is gained in the market without fraud and with the consent of all buying and selling goods and services, there is a sense on the part of some that something is wrong if considerable profit is secured. There is even a sense that good fortune in the market, especially if it is very good fortune, is unfair. One might think of such rhetorically disparaging terms as "wind-fall profits". There is also a suspicion of the pursuit of profit because it is often embraced not just because of the material benefits it sought, but because of the hierarchical satisfaction of being more affluent than others. The pursuit of profit in the pharmaceutical and medical-device industries is tor many in particular morally dubious because it is acquired from those who have the bad fortune to be diseased or disabled. Although the suspicion of profit is not well-founded, this suspicion is a major moral and public-policy challenge. Profit in the market for the pharmaceutical and medical-device industries is to be celebrated. This is the case, in that if one is of the view (1) that the presence of additional resources for research and development spurs innovation in the development of pharmaceuticals and med-ical devices (i.e., if one is of the view that the allure of **profit is one of the most effective ways not only to acquire resources but productively to direct human energies** in their use), (2) that given the limits of altruism and of the willingness of persons to be taxed, the possibility of profits is necessary to secure such resources, (3) that the allure of profits also tends to enhance the creative use of available resources in the pursuit of phar-maceutical and medical-device innovation, and (4) if one judges it to be the case that such innovation is both necessary to maintain the human species in an ever-changing and always dangerous environment in which new microbial and other threats may at any time emerge to threaten human well-being, if not survival (i.e., that such innovation is necessary to prevent increases in morbidity and mortality risks), as well as (5) in order generally to decrease morbidity and mortality risks in the future, it then follows (6) that one should be concerned regarding any policies that decrease the amount of resources and energies available to encourage such innovation. One should indeed be of the view that the possibilities for profit, all things being equal, should be highest in the pharmaceutical and medical-device industries. Yet, there is a suspicion regarding the pursuit of profit in medicine and especially in the pharmaceutical and medical-device industries.

### 1NC – AT: FW (From Util)

#### Ethics shouldn’t begin a priori but from a starting point of what we know is wrong –

1] A priori knowledge or rules can’t exist – if two people disagree about a priori claims you have to devolve to empirical claims to resolve them

2] Rules can’t be binding – subjects inevitably act on their own desires which means only action that unifies that guides action.

#### Regress solved by the objection above – our baselines desires lead to util so we don’t have to ask ourselves.

#### Ferrero begs the question of why agents act – winning the turn to regress means only we motivate subjects.

#### Universalizability is wrong –

1] Universal ethics is impossible and violent -- ethics is informed by social location – a rich white person might have an obligation not to steal but that doesn’t mean someone stealing to feed their family is bad.

2] Tailoring objection – you can tailor your rule to be specific to your circumstance which prevents a contradiction when its universalized. Don’t let them redefine their theory when the principle of universal law literally justifies this.

3] No reason to care about violating someones freedom absent universality – proves it’s circular.