# 1NC R2 Loyola

## 1

### Theory

#### Interpretation: affirmative debaters must delineate what a “patent waiver” entails.

#### Four types of IP that are vastly different.

Ackerman 17 [Peter; Founder & CEO, Innovation Asset Group, Inc; “The 4 Main Types of Intellectual Property and Related Costs,” Decipher; 1/6/17; <https://www.innovation-asset.com/blog/the-4-main-types-of-intellectual-property-and-related-costs>] Justin

Intellectual property protection isn’t as simple as declaring ownership of a particular product or asset. In most countries, there are four primary types of intellectual property (IP) that can be legally protected: patents, trademarks, copyrights, and trade secrets. Each has their own attributes, requirements and costs.

Before narrowing your focus on which form of protection to use, know that these forms of protection are not mutually exclusive. Depending on what you’re doing, you might be able to use a “belt & suspenders” approach and apply multiple forms of protection, or one approach might be the most sensible. Read the descriptions below to get some of the basics.

Used to protect inventive ideas or processes – things that are new, useful and nonobvious - patents are what most often come to mind when thinking of IP protection. **Patents** are also used to protect newly engineered plant species or strains, as well.

Procedure For most companies, patents result from the following stages: Conceptualization Typically, innovation teams work to address a common problem facing their organization, industry, or the world at large when developing their idea. When they’ve arrived at a solution or concept, they’ll draw up plans and gather the resources necessary to make it a reality. Prototypes or drawings can be created to provide a more accurate description of the end product or process. Invention Disclosure An internal review process often occurs with every invention. The innovation team consists of internal counsel and an invention review panel of varying disciplines. The reviewers assess, rate, rank, score, and highlight potential flaws in the supporting documents and descriptions for the invention, which are then addressed by the inventor. These reviews can and often do take place multiple times for a single invention. Patent Application If the invention is deemed meritorious enough for the pursuit of patent protection, some organizations prepare their own provisional or nonprovisional patent applications. Others will farm this stage out. There may be more tweaks as an application is prepared, and then submission to the appropriate patent office and the prosecution stage begins (the back & forth with the government patent office). Typically it is outside counsel that manages this process and related docketing activities. Docketing is the overarching name for activities that include management of paperwork and meeting filing deadlines specified by the government patent office. Because the application process is often very complicated, patent offices highly recommend working with experienced patent attorneys to handle this process. Maintenance Once a patent is approved, it has a finite lifetime. Patent holders are responsible for maintaining and tracking the usage of their patents and paying the appropriate periodic government renewal fees. If a given technology or other patented asset is collecting dust, you might not want to renew it. Instead, you can try and sell, license or donate it. Conversely, if a patented asset is performing well through product sales or licensing activities and its life is getting shorter, you might think about innovating ahead and maintaining competitive momentum. Costs Costs will vary depending on the country or countries where you file an application, and can run into tens of thousands of dollars depending on the invention’s complexity, plus attorney fees. Maintenance fees over the lifetime of the patent can run into thousands more per patent, per country where patent rights have been granted. You have to keep your eyes on these costs.

Trademark

A trademark is unlike a patent in that it protects words, phrases, symbols, sounds, smells and color schemes. Trademarks are often considered assets that describe or otherwise identify the source of underlying products or services that a company provides, such as the MGM lion roar, the Home Depot orange color scheme, the Intel Inside logo, and so on.

Procedure Trademarks do not necessarily require government approval to be in effect; they can apply through abundant use in interstate commerce. Still, registration of a trademark affords far superior protection and is gained by filing an application with the proper government office. A trademark application requires the company or user to provide a clear description and representation of the mark and its uses in conjunction with associated products or services. As with patents, it’s a good idea to partner with outside counsel that specializes in trademark applications and/or search services so they can help ensure there is a clear path for your desired mark. Costs Trademarks are generally quite less expensive to obtain. According to the US Patent and Trademark Office, trademark registration currently costs between $225 and $325 for each class code you use per mark. Attorney and search fees are extra. There are also periodic (and relatively inexpensive) government maintenance fees for trademarks.

Copyrights do not protect ideas, but rather the manner in which ideas are expressed (“original works of authorship”) - written works, art, music, architectural drawings, or even programming code for software (most evident nowadays in video game entertainment). With certain exceptions, copyrights allow the owner of the protected materials to control reproduction, performance, new versioning or adaptations, public performance and distribution of the works. Procedure Copyrights in general attach when the original works become fixed in a tangible medium, but should be registered with the government copyright office for optimal protection in the form of damages, injunctions and confiscation. Copyright registration applications are much simpler than patents or trademarks, and typically can be obtained by the author alone. The US Copyright Office encourages use of their online application system, and requires a sample of the work to be protected and some background information about the author. Costs Depending on the type of work being protected, currently fees vary between $25-$100 in the US. The most frequent copyright registration sought is for one work by one author, and costs about $35.

Trade Secret

Trade secrets are proprietary procedures, systems, devices, formulas, strategies or other information that is confidential and exclusive to the company using them. They act as competitive advantages for the business. Procedure There actually isn’t a federally-regulated registration process for trade secrets. Instead, the onus is on the company in possession of the secret to take necessary precautions to maintain it as such. This is an ongoing, proactive process and can include clearly marking relevant documents as “Confidential,” implementing physical and data security measures, keeping logs of visitors and restricting access. The issuance of nondisclosure agreements or other documented assurances of secrecy can also be employed. One of the first defenses typically put up when you assert that someone misappropriated your trade secret is that you failed to adequately treat it as a trade secret. Costs Though there are no official registration costs, there are costs associated with taking appropriate precautions and security measures. You must weigh the competitive significance of your secrets against the cost of protecting them.

#### Violation:

#### Negate:

#### 1] Shiftiness- they can redefine what intellectual properties the 1ac defends in the 1ar which decks strategy and allows them to wriggle out of negative positions which strips the neg of specific IP DAs, IP PICs, and case answers. They will always win on specificity weighing.

#### CX can’t resolve this and is bad because A] Not flowed B] Skews 6 min of prep C] They can lie and no way to check D] Debaters can be shady E] No warranting for why CX should check

#### 2] Real World- policy makers will always specify what the object of change is. That outweighs since debate has no value without portable application. It also means zero solvency since the WTO, absent spec, can circumvent aff’s policy since they can say they didn’t know what was affected.

#### This spec shell isn’t regressive- it literally determines what the affirmative implements and who it affects

DTD

CI

No RVI

1NC Theory Ow

DTA on 1AR Theory

Reasonability on 1AR Theory

RVI on 1AR Theory

## 2

### DA

#### 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.

## 4

### K

#### International relations is the royal science of imperialism – the affirmative engineers sustainability through a reformist, mutating logic of violence.

Grove 19 [Jairus, PoliSci at the University of Hawai’i. 2019. “Savage Ecology: War and Geopolitics in the Anthropocene.”] pat // Re-Cut Justin

Because I wanted this book to inspire curiosity beyond the boundaries of international relations (ir), I considered ignoring the field altogether, removing all mentions of ir or ir theory. However, upon closer reflection, I have decided to keep these references as I think they are relevant for those outside the discipline and for those who, like myself, often feel alienated within its disciplinary boundaries. In the former case, it is important to know that, unlike some more humble fields, ir has always held itself to be a kind of royal science. Scholarship in ir, particularly in the United States, is half research, and half biding time until you have the prince’s ear. The hallowed names in the mainstream of the field are still known because they somehow changed the behavior of their intended clients—those being states, militaries, and international organizations. Therefore, some attention to ir is necessary because it has an all-too-casual relationship with institutional power that directly impacts the lives of real people, and ir is all too often lethal theory. As an American discipline, the political economy of the field is impossible without Department of Defense money, and its semiotic economy would be equally dwarfed without contributory figures like Woodrow Wilson, Henry Kissinger, and Samuel Huntington. The ubiquity of Huntington’s “clash of civilizations” thesis and Kissinger’s particular brand of realpolitik are undeniable throughout the field, as well as the world. Each, in their own way, has saturated the watchwords and nomenclature of geopolitics from an American perspective so thoroughly that both political parties in the United States fight over who gets to claim the heritage of each. Although many other fields such as anthropology and even comparative literature have found themselves in the gravitational pull of geopolitics, international relations is meant to be scholarship as statecraft by other means. That is, ir was meant to improve the global order and ensure the place of its guarantor, the United States of America. Having spent the better part of a decade listening to national security analysts and diplomats from the United States, South Korea, Japan, Europe, China, Brazil, and Russia, as well as military strategists around the planet, I found their vocabulary and worldview strikingly homogeneous. If this seems too general a claim, one should take a peek at John Mearsheimer’s essay “Benign Hegemony,” which defends the Americanness of the ir field. What is most telling in this essay is not a defense of the U.S. as a benign hegemonic power, which Mearsheimer has done at length elsewhere. Rather, it is his vigorous defense that as a field, ir theory has done well by the world in setting the intellectual agenda for global challenges, and for creating useful theoretical approaches to addressing those problems. For Mearsheimer, the proof that American scholarly hegemony has been benign is that there is nothing important that has been left out. A quick scan of the last ten or twenty International Studies Association conferences would suggest otherwise. That issues like rape as a weapon of war, postcolonial violence, global racism, and climate change are not squarely in the main of ir demonstrates just how benign American scholarly hegemony is not. As one prominent anthropologist said to me at dinner after touring the isa conference in 2014, “it was surreal, like a tour through the Cold War. People were giving papers and arguing as if nothing had ever changed.” These same provincial scholars aspire and succeed at filling the advisory roles of each successive American presidency. One cannot help but see a connection between the history of the ir field, and the catastrophes of U.S. foreign policy during the twentieth and twenty-first centuries. One could repeat the words of the anthropologist I mentioned to describe the 2016 presidential campaign debates over the future of U.S. foreign policy: it is as if “nothing had ever changed.” And yet these old white men still strut around the halls of America’s “best” institutions as if they saved us from the Cold War, even as the planet crumbles under the weight of their failed imperial dreams. If international relations was meant to be the science of making the world something other than what it would be if we were all left to our own worst devices, then it has failed monumentally. The United States is once again in fierce nuclear competition with Russia. We are no closer to any significant action on climate change. We have not met any of the Millennium Development Goals determined by the United Nations on eradicating poverty. War and security are the most significant financial, creative, social, cultural, technological, and political investments of almost every nation-state on Earth. The general intellect is a martial intellect. Despite all this failure, pessimism does not exist in international relations, at least not on paper. The seething doom of our current predicament thrives at the conference bar and in hushed office conversations but not in our research. In public, the darkness disavowed possesses and inflames the petty cynicisms and hatreds that are often turned outward at tired and predictable scapegoats. After the fury of three decades of critique, most ir scholars still camp out either on the hill of liberal internationalism or in the dark woods of political realism. Neither offers much that is new by way of answers or even explanations, and each dominant school has failed to account for our current apocalyptic condition. One is left wondering what it is exactly that they think they do. Despite the seeming opposition between the two, one idealistic about the future of international order (liberals) and the other self-satisfied with the tragedy of cycles of war and dominance (realists), both positions are optimists of the positivist variety. For both warring parties, ir optimism is expressed through a romantic empiricism. For all those who toil away looking for the next theory of international politics, order is out there somewhere, and dutifully recording reality will find it—or at least bring us closer to its discovery. For liberal internationalism, this will bring the long-heralded maturity of Immanuel Kant’s perpetual peace. For second-order sociopaths known as offensive realists, crumbs of “useful strategic insight” and the endless details that amplify their epistemophilia for force projection and violence capability represent a potential “advantage,” that is, the possibility to move one step forward on the global political board game of snakes and ladders. Still, the cynicism of ir always creeps back in because the world never quite lives up to the empirical findings it is commanded to obey. Disappointment here is not without reason, but we cynically continue to make the same policy recommendations, catastrophe after catastrophe. I have an idea about where ir’s recent malaise comes from. I think it is a moment, just before the awareness of the Anthropocene, after the Cold War and before September 11, when the end of everything was only a hypothetical problem for those of a certain coddled and privileged modern form of life. The catastrophe of the human predicament was that there was no catastrophe, no reason, no generation-defining challenge or war. Now the fate of this form of life is actually imperiled, and it is too much to bear. The weird denial of sexism, racism, climate change, the sixth extinction, and loose nukes, all by a field of scholars tasked with studying geopolitics, is more than irrationalism or ignorance. This animosity toward reality is a deep and corrosive nihilism, a denial of the world. Thus ir as a strategic field is demonstrative of a civilization with nothing left to do, nothing left to destroy. All that is left is to make meaning out of being incapable of undoing the world that Euro-American geopolitics created. Emo geopolitics is not pretty, but it is real. The letdown, the failure, the apocalypse-that-was-not finally arrived, and we are too late. Still, the United States of America continues to follow the advice of “the best and the brightest,” testing the imperial waters, not quite ready to commit out loud to empire but completely unwilling to abandon it. Stuck in between, contemporary geopolitics—as curated by the United States—is in a permanent beta phase. Neuro-torture, algorithmic warfare, drone strikes, and cybernetic nation-building are not means or ends but rather are tests. Can a polis be engineered? Can the human operating system be reformatted? Can violence be modulated until legally invisible while all the more lethal? Each incursion, each new actor or actant, and new terrains from brains to transatlantic cables—all find themselves part of a grand experiment to see if a benign or at least sustainable empire is possible. There is no seeming regard for the fact that each experiment directly competes with Thomas Jefferson’s democratic experiment. One wonders if freedom can even exist anywhere other than temporarily on the fringe of some neglected order. Is this some metaphysical condition of freedom, or is the world so supersaturated with martial orders that the ragged edges between imperial orders are all that we have left? It feels like freedom’s remains persist only in the ruins of everything else. No space is left that can be truly indifferent to the law, security, or economy. Such is the new life of a human in debt. The social contract has been refinanced as what is owed and nothing more: politics without equity. Inequity without equality. What about the impending collapse of the post–World War II order, the self-destruction of the United States, the rise of China and a new world order? If humanity lasts long enough for China to put its stamp on the human apocalypse, I will write a new introduction. Until then, we live in the death rattle of Pax Americana. While I think the totality of this claim is true, I do not want to rule out that many of us throughout the world still make lives otherwise. Many of us even thrive in spite of it all. And yet, no form of life can be made that escapes the fact that everything can come to a sudden and arbitrary end thanks to the whim of an American drone operator, nuclear catastrophe, or macroeconomic manipulation like sanctions. There are other ways to die and other organized forms of killing outside the control of the United States; however, no other single apparatus can make everyone or anyone die irrespective of citizenship or geographic location. For me, this is the most inescapable philosophical provocation of our moment in time. The haphazard and seemingly limitless nature of U.S. violence means that even the core principles of the great political realist concepts like order and national interest are being displaced by subterranean violence entrepreneurs that populate transversal battlefields, security corridors, and border zones. Mercenaries, drug lords, chief executive officers, presidents, and sports commissioners are more alike than ever. Doomsayers like Paul Virilio, Lewis Mumford, and Martin Heidegger foretold a kind of terminal and self-annihilating velocity for geopolitics’ technological saturation, but even their lack of imagination appears optimistic. American geopolitics does not know totality or finality; it bleeds, mutates, and reforms. Furthermore, the peril of biopolitics seems now almost romantic. To make life live? Perchance to dream. The care and concern for life’s productivity is increasingly subsumed by plasticity—forming and reforming without regard to the telos of productivity, division, or normative order. There are, of course, still orders in our geoplastic age, but they are almost unrecognizable as such. When so many citizens and states are directly invested in sabotaging publicly stated strategic ends, then concepts like national interest seem equally quaint. We are witnessing creative and horrifying experiments in the affirmative production of dying, which also deprive those targeted and in some cases whole populations from the relief of death. To follow Rucker, I want to try to see the world for what it is. We can only say that tragedy is no longer a genre of geopolitics. Tragedy redeems. The occluded character of contemporary geopolitics shoehorned into experience produces the feeling that there is no relief, no reason, no victory, no defeats, and no exit within the confines of national security’s constricted world. This is not tragedy: it is horror. We live in an age of horror that, like the victims of gore movies who never quite die so that they can be tortured more, furthers our practice of collective violence and goes on for decades as a kind of sustainable warfare.

#### The affirmative greenlights themselves as the moral savior but hides a history of imperialism – the 1ACs reform is empty and coopted by capitalist imperialist logic which justifies colonialism and reinforces racial difference.

Twailr 21 [Third World Approaches to International Law Review; “On Intellectual Property Rights, Access to Medicines and Vaccine Imperialism,” Twail Review; 3/23/21; <https://twailr.com/on-intellectual-property-rights-access-to-medicines-and-vaccine-imperialism/>] Justin

Supporters and opponents of a TRIPS waiver for the COVID-19 vaccines (February 2021) Despite calls to make COVID-19 vaccines and related technologies a global public good, western pharmaceutical companies have declined to loosen or temporarily suspend IP protections and transfer technology to generic manufacturers. Such transfer would enable the scale-up of production and supply of lifesaving COVID-19 medical tools across the world. Furthermore, these countries are also blocking the TRIPS waiver proposal put forward by South Africa and India at the WTO despite being supported by 57 mostly developing countries. The waiver proposal seeks to temporarily postpone certain provisions of the TRIPS Agreement for treating, containing and preventing the coronavirus, but only until widespread vaccination and immunity are achieved. This means that countries will not be required to provide any form of IP protection on all COVID-19 related therapeutics, diagnostics and other technologies for the duration of the pandemic. It is important to reiterate the waiver proposal is time-limited and is different from TRIPS flexibilities, which are safeguards within the Agreement to mitigate the negative impact of patents such as high price of patented medicines. These safeguards include compulsory licenses and parallel importation. However, because of the onerous process of initiating these flexibilities as well as the threat of possible trade penalties by the US through the United States Trade Representative (USTR) “Special 301” Report targeting countries even in the absence of illegality, many developing countries are reluctant to invoke TRIPS flexibilities for public health purposes. For example, in the past, countries such as Colombia, India, Thailand and recently Malaysia have all featured in the Special 301 Report for using compulsory licenses to increase access to cancer medications. It is these challenges that the TRIPS waiver seeks to alleviate and, if approved, would also provide countries the space, without fear of retaliation from developed countries, to collaborate with competent developers in the R&D, manufacturing, scaling-up, and supply of COVID-19 tools. However, because this waiver is being opposed by a group of developed countries, we are grappling with the problem of artificially-created vaccine scarcity. The effect of this scarcity will further prolong and deepen the financial impact of this pandemic currently estimated to cost USD 9.2 trillion, half of which will be borne by advanced economies. Thus, in opposing the TRIPS waiver with the hopes of reaping huge financial rewards, developed countries are worsening pandemic woes in the long term. Perhaps it is time to reorient our sight and call the ongoing practices of buying up global supply of vaccine what it truly is – vaccine imperialism. Another kind of scarcity caused by vaccine nationalism has also reduced equitable access. Vaccine nationalism is a phenomenon where rich countries buy up global supply of vaccines through advance purchase agreements (APA) with pharmaceutical companies for their own populations at the expense of other countries. But perhaps it is time to reorient our sight and call the ongoing practices of buying up global supply of vaccine what it truly is – vaccine imperialism. If we take seriously the argument put forward by Antony Anghie on the colonial origins of international law, particularly how these origins create a set of structures that continually repeat themselves at various stages, we will begin to see COVID-19 vaccine accumulation not only as political, but also as imperial continuities manifesting in the present. Take, for instance, the report released by the Duke Global Health Innovation Center that shows that high-income countries have already purchased nearly 3.8 billion COVID-19 vaccine doses. Specifically, the United States has secured 400 million doses of the Pfizer-BioNTech and Moderna vaccines, and has APAs for more than 1 billion doses from four other companies yet to secure US regulatory approval. The European Union has similarly negotiated nearly 2.3 billion doses under contract and is negotiating for about 300 million more. With these purchases, these countries will be able to vaccinate their populations twice over, while many developing states, especially in Africa, are left behind. In hoarding vaccines whilst protecting the IP interests of their pharmaceutical multinational corporations, the afterlife of imperialism is playing out in this pandemic. Moreover, these bilateral deals are hampering initiatives such as the COVID-19 Vaccine Global Access Facility (COVAX) – a pooled procurement mechanism for COVID-19 vaccine – aimed at equitable and science-led global vaccine distribution. By engaging in bilateral deals, wealthy countries impede the possibility of effective mass-inoculation campaigns. While the usefulness of the COVAX initiative cannot be denied, it is not enough. It will cover only the most vulnerable 20 per cent of a country’s population, it is severely underfunded and there are lingering questions regarding the contractual obligations of pharmaceutical companies involved in the initiative. For instance, it is not clear whether the COVAX contract includes IP-related clauses such as sharing of technological know-how. Still, even with all its faults, without a global ramping-up of production, distribution and vaccination campaigns via COVAX, the world will not be able to combat the COVID-19 pandemic and its growing variants. Health inequity and inequalities in vaccine access are not unfortunate outcomes of the global IP regime; they are part of its central architecture. The system is functioning exactly as it is set up to do. These events – the corporate capture of the global pharmaceutical IP regime, state complicity and vaccine imperialism – are not new. Recall Article 7 of TRIPS, which states that the objective of the Agreement is the ‘protection and enforcement of intellectual property rights [to] contribute to the promotion of technological innovation and to the transfer and dissemination of technology’. In similar vein, Article 66(2) of TRIPS further calls on developed countries to ‘provide incentives to enterprises and institutions within their territories to promote and encourage technology transfer to least-developed country’. While the language of ‘transfer of technology’ might seem beneficial or benign, in actuality it is not. As I discussed in my book, and as Carmen Gonzalez has also shown, when development objectives are incorporated into international legal instruments and institutions, they become embedded in structures that may constrain their transformative potential and reproduce North-South power imbalances. This is because these development objectives are circumscribed by capitalist imperialist structures, adapted to justify colonial practices and mobilized through racial differences. These structures are the essence of international law and its institutions even in the twenty-first century. They continue to animate broader socio-economic engagement with the global economy even in the present as well as in the legal and regulatory codes that support them. Thus, it is not surprising that even in current global health crisis, calls for this same transfer of technology in the form of a TRIPS waiver to scale up global vaccine production is being thwarted by the hegemony of developed states inevitably influenced by their respective pharmaceutical companies. The ‘emancipatory potential’ of TRIPS cannot be achieved if it was not created to be emancipatory in the first place. It also makes obvious the ways international IP law is not only unsuited to promote structural reform to enable the self-sufficiency and self-determination of the countries in the global south, but also produces asymmetries that perpetuate inequalities. Concluding Remarks What this pandemic makes clear is that the development discourse often touted by developed nations to help countries in the Global South ‘catch up’ is empty when the essential medicines needed to stay alive are deliberately denied and weaponised. Like the free-market reforms designed to produce ‘development’, IP deployed to incentivise innovation is yet another tool in the service of private profits. As this pandemic has shown, the reality of contemporary capitalism – including the IP regime that underpins it – is competition among corporate giants driven by profit and not by human need. The needs of the poor weigh much less than the profits of big business and their home states. However, it is not all doom and gloom. Countries such as India, China and Russia have stepped up in the distribution of vaccines or what many call ‘vaccine diplomacy.’ Further, Cuba’s vaccine candidate Soberana 02, which is currently in final clinical trial stages and does not require extra refrigeration, promises to be a suitable option for many countries in the global South with infrastructural and logistical challenges. Importantly, Cuba’s history of medical diplomacy in other global South countries raises hope that the country will be willing to share the know-how with other manufactures in various non-western countries, which could help address artificial supply problems and control over distribution. In sum, this pandemic provides an opportune moment to overhaul this dysfunctional global IP system. We need not wait for the next crisis to learn the lessons from this crisis.

#### Hegemony never failing, strangely enough, makes its failure inevitable.

Grove 20 [Jarius, polisci at University of Hawai’i. 12/03/2020. Seminar hosted/sponsored by the University of Michigan Debate Team. “Dr. Jarius Grove on CJR, Debate and ‘Savage Ecology,’” <https://www.youtube.com/watch?v=I-Gcwj_rg_0>] pat – transcription is from ~21:40-29:00, removed “uhs” and other verbal tics.

And in part, this is from a theory which I borrowed from an old social scientist – and I’m probably gonna skip ahead a little bit and take some questions – but this guy named Carl Deutsch developed this theory, “the pathology of power,” which is sort of throughout the book. I think this is a really interesting theory. It’s a reason why it puts, sort of, Nietzsche to the policy table, which is that, unfortunately, strength prevents learning. So, in cybernetics, we tend to think that learning comes from failure and the ability to remember or incorporate failure. The problem with the Eurocene and the way geopolitics work is it amassed so much material power, so much capability was drawn through it’s chance encounter with technology that it was able to just basically eliminate dissent. It was able to eliminate those who rebelled or pointed failure out. And as a result, it made large institutions incredibly stupid. When you can leverage power as a way not to learn – meaning, when you make mistakes, you destroy the capability to have the failure follow you home – your system doesn’t learn. And I think maybe one of the best examples of this is the difference between the first Gulf War and the second Gulf War. The first Gulf War is declared an immense success, we take all the data from it, Elliot Cohen takes that data and tries to build this big dataset out of it so we can define how airpower works. We use that dataset and say “Oh! We can go back into Iraq and have exactly the same success.” The reality is that the first Iraqi conflict was not a success. In fact, it strengthened Saddam Hussein’s hold, it limited the rebellions that were against him, it nearly wiped out the Kurds, and it left hundreds of thousands of Iraqis starving as a result of sanctions. But we didn’t learn that lesson, because none of those lessons came to American shores. And so, we had a level of confidence and hubris going into the second war which made us think that the Iraq war would end very quickly. And that time we didn’t quite have the overwhelming authority or overwhelming resolve to eliminate failure, as it were, and as a result we were starting to see already, even now, more than a decade after, the long-term consequences of those kinds of failure. So that’s kind of a core theme or concept – I mean, that’s the link argument for debate – which is the pathology of power, the degree to which actually strengthening hegemony caused the state to corrode. It caused leadership in democratic institutions to corrode. Order and security reinforces stupidity. When you can’t learn from your mistakes because you try to pretend they don’t exist, or you destroy them, or you vaporize them you get very stupid. And so as a result we’ve ended up in a kind of slow-motion catastrophe where, while the people most privileged in institutions haven’t borne the brunt of the last 500 years of failure, they are starting to come home. Right? They’re starting to show up in the forms of things like climate change, in the inability to negotiate international order in a way that would be more just or humane, in the incapacity to move towards trying to address things like indigenous genocide or slavery. Those incapacities – which really aren’t technical problems, they’re first and foremost political problems – are reaching the state of apocalypse, catastrophe, precisely because of the inability to learn. So I need to skip a couple of things… and get to the end. So, the end of the book, I say that’s because we’ve been so invested trying to make the world what we want rather than believing in this world, is how Gilles Deleuze put it. The thing that’s most important we can do is believe in this world. So, in the book, I say that it’s more important to think about how we should live than if we live, and that this, sort of, attempt to get out of a world where the future is what disciplines the present, and how to think about that as a crisis of meaning rather than a crisis of technology or politics. We have a crisis of meaning! We don’t know even why we want hegemony anymore. And you see that, I mean… I wouldn’t have thought it in debate a million years ago, but I spend as much or more time with generals and members of NATO and the joint forces in South Korea than I do with the people who read the kind of French philosophy that I like to do when there’s nothing else to do. But it’s still even a crisis of meaning for them; they’re not sure what NATO’s for anymore, they’re not sure what we wanna build hegemony for. We’re not even really sure what kind of wars we want anymore. And I think that speaks a lot to the fact that there’s not a clear vision of what kind of order we’d even want if we could have it. So, the book kind of ends with this idea that extinction is inevitable – like, the sun will burn out, humans will evolve into something else – but nihilism isn’t. Nihilism is a problem we can actually do something about. We can think about how to make more meaningful lives and less cruel lives even if those lives are not going to go on forever. So, in old-school debate terms – I have no idea if these apply anymore at all – that’s as close to an alternative as the book presents, which is how to formulate craft, practice, habits, forms of life which are not dependent upon homogenization or liquidation of other forms of life. How to, basically, find some joy in this world rather than investing all of our efforts in transforming the world into something which now we’re not even sure we want anymore. And certainly through a process of transformation that looks like it may kill the species. So, that’s where it ends. It’s sort of an affirmative note, but I wouldn’t say a particularly happy note. And it ends with a question: if that’s the ethical move to make the world less cruel, then we have to ask the question “What if this future isn’t ours?” Right? What if humanity isn’t the punchline to the cosmic joke? What if there’s something else? What comes next? And maybe we should rethink who gets to decide what comes next, rather than presuming that those who are already in power, that already maintain the geopolitical institutions which currently define the agenda for planetary politics, who’ve done a lot of harm… maybe they should take a step back. And I think that’s the thing that makes people the most uncomfortable. People are willing to think about being critical, people are willing to think about incorporating climate change into security, people are willing to think about even incorporating human security or indigenous rights into a security framework. What they’re often not willing to do is to give up the sovereignty to decide what is included and what isn’t. And for me, that’s the most important thing for us to do, in positions of incredible privilege and incredibly destructive power, to be willing to put faith in those people we’ve basically tormented for 500 years and see what other kind of planet could be made. And that’s a big gamble, but I think that’s kind of where we are as a species.

#### Voting negative adopts failed IR for a dose of pessimism – at the end of the world, all we can do is hope to be buried alive together.

Grove 19 [Jairus, PoliSci at the University of Hawai’i. 2019. “Savage Ecology: War and Geopolitics in the Anthropocene.”] pat // Re-Cut Justin

Failed ir affirms the power of this kind of negative thinking as an alternative to the endless rehearsing of moralizing insights and strategic foresight. The negative is not “against” or reacting to something. Rather, it is the affirmation of a freedom beyond the limits of life and death. That is, it is making a life by continuing to think about the world, even if that thinking is not recuperative, and even if nothing we think can save us. In the face of it all, one celebrates useless thinking, useless scholarship, and useless forms of life at the very moment we are told to throw them all under the bus in the name of survival at all costs. This is a logic referred to lately as hope and it is as cruel as it is anxiety inducing. Hope is a form of extortion. We are told that it is our obligation to bear the weight of making things better while being chided that the failure of our efforts is the result of not believing in the possibility of real change. In such an environment, pessimism is often treated as a form of treason, as if only neoliberals and moral degenerates give up—or so goes the op-ed’s insisting upon the renewed possibility of redemption. In response to these exhortations, pessimism offers a historical atheism, both methodologically and morally. The universe does not bend toward justice. Sometimes the universe bends toward the indifference of gravity wells and black holes. Affirming negativity, inspired by Achille Mbembe, is grounds for freedom, even if that freedom or relief is only fleeting and always insecure. I am not arrogant enough to think a book can attain freedom of this sort, but this book is inspired by refusals of critique as redemption in favor of useless critique and critique for its own sake. That the pursuit of knowledge without immediate application is so thoroughly useless, even profane, is a diagnosis of our current moment. The neoliberal assault on the university is evidence of this condition, as is the current pitch of American politics. Our indifference as intellectuals to maximizing value has not gone unnoticed. We are still dangerous, worthy of vilification, of attack, sabotage, and derision because we fail so decadently. We are parasites according to Scott Walker, Donald Trump, and the rest. So be it. We are and shall remain irascible irritants to a worldwide assault on thinking that is well underway and facing few obstacles in other jurisdictions. What would failed scholarship do? Learn to die, learn to live, learn to listen, learn to be together, and learn to be generous. These virtues are useless in that they do not prevent or manage things. They do not translate into learning objectives or metrics. Virtues of this order are selfsame, nontransferable experiences. They are meaningful but not useful. These are luxurious virtues. Like grieving or joy, they are ends unto themselves. But how will these ideas seek extramural grants, contribute to an outcomes-based education system, or become a policy recommendation? They will not, and that is part of their virtue. Even if there is no straight line to where we are and where we ought to be, I think we should get over the idea that somehow the U.S. project of liberal empire is conflicted, or “more right than it is wrong,” or pragmatically preferable to the alternatives. I hope this book can contribute to the urgent necessity to get out of the way by reveling in the catastrophic failure that should inspire humility but instead seems to embolden too many to seek global control yet again. Demolition may be an affirmative act if it means insurgents and others can be better heard. And yet this may fail too. If we can accomplish nothing at all, we can at least, as Ta-Nehisi Coates and other pessimists have said, refuse to suborn the lie of America any longer. Telling the truth, even if it cannot change the outcome of history, is a certain kind of solace. In Coates’s words, there is a kind of rapture “when you can no longer be lied to, when you have rejected the dream.” Saying the truth out loud brings with it the relief that we are not crazy. Things really are as bad as we think. If there are those of us who want to break from this one-hundred-year-old race to be the next Henry Kissinger, then why do we continue to seek respect in the form of recognizable standards of excellence? I am not sure where the answer finally lies, but I do know that professionalization will not save us. To appear as normal and recognizably rigorous will not be enough to stave off the neoliberal drive to monetize scholarship, or to demand of us strategically useful insights. The least we can do in the face of such a battle is to find comfort in meaningful ideas and the friendships they build rather than try to perform for those we know are the problem. Some will ask, who is this “we” or is that “they”—where is your evidence? More will know exactly what I am talking about. The virtues I seek are oriented toward an academy of refuge, a place we can still live, no matter how dire the conditions of the university and the classroom. It is not the think tank, boardroom, or command center. We are, those of us who wish to be included, the last of the philosophers, the last of the lovers of knowledge, the deviants who should revel in what Harney and Moten have called the undercommons. In one of his final lectures, Bataille speaks of the remnants of a different human species, something not quite so doomed, something that wasted its newly discovered consciousness and tool-being on the art that still marks the walls of prehistoric caves. This lingering minor or vestigial heritage is philosophy’s beginning. Philosophy survives war, atrocity, famine, and crusades. Thinking matters in a very unusual way. Thinking is not power or emancipation. Thinking matters for a sense of belonging to the world, and for believing in the fecundity of the world despite evidence to the contrary. How do you get all this from pessimism, from failure? Because willing failure is a temptation, a lure to think otherwise, to think dangerous thoughts. Pessimism is a threat to indifferentism and nihilism in the sense of the phenomenon of Donald Trump. Pessimism is a provocation and an enemy of skepticism, particularly of the metaphysical variety. It is not redemption from these afflictions, but in pessimism there is solace in the real. To put it another way, to study the world as it is means to care for it. The exhortation that our care or interest should be contingent on how useful the world is and how much of it conforms to our designs is as much opposed to care as it is to empiricism. We can study airports, poetry, endurance races, borders, bombs, plastic, and warfare, and find them all in the world. To consider the depth of their existence can be an invitation to the world rather than a prelude to another policy report. One cannot make a successful political career out of such pursuits, but you might be able to make a life out of it, a life worth repeating even if nothing else happens. At the end of Jack Halberstam’s The Queer Art of Failure, we are presented with the Fantastic Mr. Fox’s toast as an exemple of something meaningful in these dark times of ours. They say all foxes are slightly allergic to linoleum, but it’s cool to the paw—try it. They say my tail needs to be dry cleaned twice a month, but now it’s fully detachable—see? They say our tree may never grow back, but one day, something will. Yes, these crackles are made of synthetic goose and these giblets come from artificial squab and even these apples look fake—but at least they’ve got stars on them. I guess my point is, we’ll eat tonight, and we’ll eat together. And even in this not particularly flattering light, you are without a doubt the five and a half most wonderful wild animals I’ve ever met in my life. So let’s raise our boxes—to our survival. Halberstam says of this queer moment: Not quite a credo, something short of a toast, a little less than a speech, but Mr. Fox gives here one of the best and most moving—both emotionally and in stop-motion terms—addresses in the history of cinema. Unlike Coraline, where survival is predicated upon a rejection of the theatrical, the queer, and the improvised, and like Where the Wild Things Are, where the disappointment of deliverance must be leavened with the pragmatism of possibility, Fantastic Mr. Fox is a queerly animated classic in that it teaches us, as Finding Nemo, Chicken Run, and so many other revolting animations before it, to believe in detachable tails, fake apples, eating together, adapting to the lighting, risk, sissy sons, and the sheer importance of survival for all those wild souls that the farmers, the teachers, the preachers, and the politicians would like to bury alive. Although not as much fun as Halberstam’s monument to low theory, Savage Ecology is for all the other wild animals out there studying global politics. May we be buried alive together.

#### The role of the judge is to adopt martial empiricism.

Bousquet et al 20 [Antoine Bousquet, University of London, Jairus Grove, University of Hawai‘i at Manoa, and Nisha Shah University of Ottawa. 2020. “Becoming war: Towards a martial empiricism,” <https://journals.sagepub.com/doi/full/10.1177/0967010619895660>] pat // Re-Cut Justin

Haunting the formations and deformations of global life, war confronts us as an abyss in the face of which cherished interpretative frameworks perilously buckle and warp. Indeed, Tarak Barkawi and Shane Brighton (2011: 129) accurately identify a ‘conceptual black hole surrounding the notion of war’ that has insistently gnawed at the study of the phenomenon. Locating the source of this lacuna in the absence of an ‘ontology of war’, they propose to ground one in ‘fighting’ (Barkawi and Brighton, 2011: 136). Although we concur on the diagnosis, we take issue with the suggested remedy. War does not obey any neat philosophical division between epistemology and ontology. For us, the resolute elusiveness of any definitive understanding of war is inherent in that very object. Every attempt to conceptually shackle war is undone by the creative advance of its new modes, residences and intensities. This speaks against the value of ontology per se less than it calls for a strange, paradoxical and provisional ontology that is consonant with the confounding mutability of war. Such an ontology, suspended between infinity and totality, being and nothingness, the sheer fecundity and utter catastrophe of war, may not be too uncanny for its object. In fairness, Barkawi and Brighton (2011: 133) gesture towards this in acknowledging ‘war’s recalcitrance as an object of knowledge’ and allowing for war to unmake any truth. Yet they seem unwilling to embrace the full force of their own insight, which Marc von Boemcken (2016: 239) ultimately declares: ‘even the statement that “war is fighting” may well be eventually undone by war. In a very fundamental manner, war escapes human intelligibility.’ This special issue on ‘Becoming War’ grapples with war as obdurate mystery. In its recurring persistence yet constant reinvention, its paradoxical ordering of life for the generation of death, or its stubborn affront to the better world we all purport to want, war never ceases to perplex us. Our world is one shot through by war, manifest in the nation-states we inhabit, the ecologies of technics that bind us to one another, and the very thoughts ricocheting through our communities of sense. And yet we still do not know war. Rather than endeavour yet again to ‘say something fundamental about what war is’ (Barkawi and Brighton, 2011: 134, emphasis in original), we choose to explore how war becomes. This is not to say that we deny any durability or regularities in the phenomenon of war over time. Simply that, as Alfred Whitehead (1978: 35) puts it, ‘there is a becoming of continuity, but no continuity of becoming’. Accordingly, we seek to trace the lines of becoming that congeal into what comes to count as war, even as it continually frays at the edges and insolently defies habituated frames of reference. We do not, therefore, offer a theory of continuity, a formula for what all lines of becoming war might have in common, but instead sketch a style of investigation that encompasses both the enduring cohesion and the radical dispersion of war. We call this endeavour ‘martial empiricism’ to renounce attempts to devise a definitive theory of war. Instead, we favour an open-ended conceptual arsenal for following the trail of war wherever it leads us, as opposed to camping in the places where we already expect to find it. Although we do not aim to circumscribe the remit of its investigations, martial empiricism is nonetheless inherently situational, spurred by the impulse to grasp the present martial condition we inhabit in all its calamity and promise. We would be far from the first to point out the growing inadequacy of the conceptual frameworks of war inherited from the Westphalian historical interval. Yet we still collectively flounder in the face of a combined and uneven landscape of armed conflict populated by metastasizing war machines encompassing overseas contingency operations, fullspectrum hybrid theatres, ethno-supremacist militias, crowd-sourced paramilitaries, Incel shooters and narco-state assassins. The game is definitely up when a task force led by the former head of United States Central Command can write that ‘basic categories such as “battlefield,” “combatant” and “hostilities” no longer have clear or stable meaning’ (Abizaid and Brooks, 2014: 35). Confronted with this reality and the persistent bewilderment it induces, we contend that a certain epistemic humility is in order. Rather than professing to know where war begins and ends, martial empiricism starts in the middle, with only the barest tentative intuitions necessary to explore the logistics, operations and embodiments that engender armed conflict as an unremitting condition of global life.

# Case

## 1NC – AT: Util

### 1NC – AT: Util

#### Utilitarian calculus doesn’t account for the geopolitical structure of aggregate conceptions of the good – that makes it incapable of grappling with the causes of apocalypse.

Grove 19 [Jairus, PoliSci at the University of Hawai’i. 2019. “Savage Ecology: War and Geopolitics in the Anthropocene.”] pat

Rather than see these two career trajectories as opposed, I think Crutzen’s thinking displays a continuous concern for the Northern Hemisphere and a particular cartography, rather than a geography, of human survival. Crutzen, as well as the concept of the Anthropocene itself, cannot escape preceding geopolitical conceptions of the Earth. Crutzen and others who rush so quickly to the necessity to transition efforts from climate abatement to climate modification are unsurprisingly not moved by claims that artificial cooling will likely cause droughts and famines in the tropics and subtropical zones of the global south; nor are they moved by how such plans may accelerate ocean acidification. The utilitarian risk calculus that favors the greatest good for the greatest number has no geographical or historical sensibility of how unequally aggregate conceptions of the good are distributed around the planet. Global thinking, even in its scientific and seemingly universalist claims to an atmosphere that “we” all share, belies the geopolitics that enlivens scientific concern, as well as the global public policy agenda of geoengineering that seeks to act on behalf of it. Saving humanity as an aggregate, whether from nuclear war, Styrofoam, or climate turbulence, has never meant an egalitarian distribution of survivors and sacrifices. Instead, our new cosmopolitanism—the global environment—follows almost exactly the drawn lines, that is, the cartography or racialized and selective solidarities and zones of indifference that characterize economic development, the selective application of combat, and, before that, the zones of settlement and colonization. More than a result of contemporary white supremacy or lingering white privilege, the territorialization of who lives and who dies, who matters and who must be left behind for the sake of humanity, represents a five-hundred-year geopolitical tradition of conquest, colonization, extraction, and the martial forms of life that made them all possible through war and through more subtle and languid forms of organized killing. I am not suggesting that Crutzen and others are part of a vast conspiracy; rather, I want to outline how climate change, species loss, slavery, the elimination of native peoples, and the globalization of extractive capitalism are all part of the same global ordering. That is, all of these crises are geopolitical. The particular geopolitical arrangement of what others have called the longue durée, and what I am calling the Eurocene, is geologically significant but is not universally part of “human activity” despite the false syllogism at the heart of popular ecological thinking that a global threat to humanity must be shared in cause and crisis by all of humanity. Departing from Sloterdijk, I am hesitant to so easily locate modernity or explication as the root or cause of the global catastrophe. No single strategy, war, act of colonization, technological breakthrough, or worldview fully explains the apocalypse before us. However, there is something like what Gilles Deleuze and Félix Guattari call a refrain that holds the vast assemblage together, a geopolitical melody hummed along with the global expansion of a form of life characterized by homogenization rather than diversification. Accordingly, if we are to make some sense of such a vast world that is, even for Crutzen and Birks, “quite complex and difficult to model,” I think we must consider the particular refrain of geopolitics that is capable of, by scientific as well as more humbly embodied standards, destroying worlds along with the world. To eschew geopolitics simply because, as a refrain, it is too big, too grand, or too universal would ignore the conditions of possibility for nuclear weapons, power politics, and carbon-based globalization, and would greatly impoverish the explanatory capability of even the best climate models. So maybe it is not so strange that Crutzen and others’ attention to the nuclear threat of great powers has all but disappeared despite the fact that Russia and the United States still possess thousands of nuclear weapons, and as of late have been all too vocal about using them. Instead, the Anthropocene, as envisioned by Crutzen as a universal concern, requires with it a depoliticization of the causes of that concern.

## 1NC – AT: Solvency

### 1NC – Circumvention

#### The WTO can’t enforce the aff- causes circumvention.

Lamp 19 [Nicholas; Assistant Professor of Law at Queen’s University; “What Just Happened at the WTO? Everything You Need to Know, Brink News,” 12/16/19; <https://www.brinknews.com/what-just-happened-at-the-wto-everything-you-need-to-know/>] Justin

Nicolas Lamp: For the first time since the establishment of the WTO in 1995, the Appellate Body cannot accept any new appeals, and that has knock-on effects on the whole global trade dispute settlement system. When a member appeals a WTO panel report, it goes to the Appellate Body, but if there is no Appellate Body, it means that that panel report will not become binding and will not attain legal force.

The absence of the Appellate Body means that members can now effectively block the dispute settlement proceedings by what has been called appealing panel reports “into the void.”

The WTO panels will continue to function as normal. When a panel issues a report, it will normally be automatically adopted — unless it is appealed. And so, even though the panel is working, the respondent in a dispute now has the option of blocking the adoption of the panel’s report. It can, thereby, shield itself from the legal consequences of a report that finds that the member has acted inconsistently with its WTO obligations.

#### Recent evidence confirms

Hillman and Tippett 21 [Jennifer A; Senior fellow for trade and international political economy; Alex; Research associate for international economics, at the Council on Foreign Relations; “Europe and the Prospects for WTO Reform,” CFR; 3/10/21; <https://www.cfr.org/blog/europe-and-prospects-wto-reform>] Justin

The WTO has been in the clutches of a slow-moving crisis for years. At its heart are a series of disputes about the role of the WTO’s Appellate Body, the final arbiter in the WTO’s Dispute Settlement System. Today, the Appellate Body sits empty, severely undermining the capacity of the WTO to resolve trade disputes.

Since the start of the Trump administration, the United States has refused to appoint any new members to the body, effectively allowing countries to avoid compliance with WTO rulings. The primary driver of this drastic action has been American frustration at perceived judicial overreach. U.S. policymakers, starting with the George W. Bush administration, have repeatedly voiced their displeasure with Appellate Body decisions, contending that certain decisions have reached beyond the text of existing WTO agreements.

#### Patent waiver is extra topical.

Tom Lee 21 (Data and Policy Analyst at the American Action Forum) And Christopher Holt (the Director of Health Care Policy at the American Action Forum), 5/10/21, Intellectual Property, COVID-19 Vaccines, and the Proposed TRIPS Waiver, <https://www.americanactionforum.org/insight/intellectual-property-covid-19-vaccines-and-the-proposed-trips-waiver/#ixzz75KTH1nPx> SJEP

**In October 2020, India and South Africa requested the World Trade Organization (WTO) suspend certain intellectual property (IP) protections for COVID-19 vaccines and related products.** Both countries claim these IP protections, part of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), have slowed production of and access to COVID-19 vaccines. As of May 2021, over 100 countries, mostly in the developing world, have joined India and South Africa in calling for a waiver of TRIPS for COVID-19 vaccines and related products. At the same time, a handful of developed nations—specifically the European Union, Switzerland, Norway, Australia, Canada, Japan, and the United Kingdom—have signaled their opposition to a waiver. In the United States, the Biden Administration recently [announced](https://thehill.com/policy/healthcare/551992-biden-backs-covid-19-vaccine-patent-waivers) that it will support the TRIPS waiver request after intense pressure from progressive activists and Democratic lawmakers in Congress—over 100 of whom have signed a series of letters calling on President Biden to support the proposed TRIPS waiver.[[1]](https://www.americanactionforum.org/insight/intellectual-property-covid-19-vaccines-and-the-proposed-trips-waiver/" \l "_edn1) The pressure campaign clearly had an impact on the administration, as its actions conflict with the recent [statement](https://www.cbsnews.com/news/transcript-ron-klain-on-face-the-nation-may-2-2021/) of White House Chief of Staff Ron Klain, who argued “really, manufacturing is the biggest problem. We have a factory here in the U.S. that has the full intellectual property rights to make the vaccine. They aren’t making doses because the factory has problems.”[[2]](https://www.americanactionforum.org/insight/intellectual-property-covid-19-vaccines-and-the-proposed-trips-waiver/" \l "_edn2) Also being ignored in the IP debate are logistical distribution challenges and lack of sufficient frontline workers, which contribute to a slow rollout.[[3]](https://www.americanactionforum.org/insight/intellectual-property-covid-19-vaccines-and-the-proposed-trips-waiver/" \l "_edn3) Public posturing aside, the Biden Administration surely knows that a TRIPS waiver for COVID-19 related IP will likely be futile. Scaling up production, as Klain alluded to, has proven to be the main challenge to manufacturing larger quantities of vaccine.[[4]](https://www.americanactionforum.org/insight/intellectual-property-covid-19-vaccines-and-the-proposed-trips-waiver/" \l "_edn4) Waiving TRIPS would do nothing to address this constraint. Waiving TRIPS would instead encourage IP abuse and distort market forces and innovation. **TRIPS Provisions** The TRIPS agreement is an international trade agreement among all 164 members of the WTO. It is one of three founding and central components of the WTO, along with the General Agreement on Tariffs and Trade (GATT) and the General Agreement on Trade in Services (GATS). The purpose of the TRIPS agreement is to unify trade and provide increased certainty in international economic relations. Among other things, TRIPS specifically: Provides minimum IP protections and standards that apply to all WTO members; Outlines enforcement actions that countries can undertake to remedy violations of the above standards; and Establishes dispute settlement procedures to allow countries to negotiate an end to disagreements. TRIPS does, however, allow for compulsory licensing where in a public health emergency, a country may copy patented drugs without the permission of the original manufacturer with WTO approval. Proposal to Waive TRIPS The recent proposal submitted by India and South Africa and signed on by over 100 developing countries would waive four specific protections of COVID-19 vaccines and related medical products and services: Copyrights; Patents; Trademarks; and Undisclosed information procedures. The first three protections allow companies to prevent foreign companies from copying their products. They require the original company to disclose information about the product, however. Foreign companies are free to study the disclosed information of the patent but cannot copy it unless given a licensing agreement from the original company. Contrarily, companies can choose not to get patents for their products and instead keep their information secret. The fourth protection prevents the theft of trade secrets of foreign companies. While TRIPS has been waived previously, if approved, this would be the broadest waiver since the agreement’s enactment in 1995.[[5]](https://www.americanactionforum.org/insight/intellectual-property-covid-19-vaccines-and-the-proposed-trips-waiver/" \l "_edn5) TRIPS and Manufacturing Capacity The primary justification for waiving TRIPS is that IP protections cause underutilized manufacturing capacity. By removing TRIPS, developing nations could copy patented drugs and use their own manufacturers to produce vaccines, thereby increasing access. This rationale, however, is flawed. Adar Poonawalla, CEO of the Serum Institute of India—currently the largest producer of COVID-19 vaccine doses in the world—has argued that access to IP is not limiting vaccine production, rather it is the time involved in scaling up manufacturing capacity.[[6]](https://www.americanactionforum.org/insight/intellectual-property-covid-19-vaccines-and-the-proposed-trips-waiver/" \l "_edn6) It should also be noted that Moderna has already pledged not to enforce its own COVID-19 vaccine patents during the pandemic.[[7]](https://www.americanactionforum.org/insight/intellectual-property-covid-19-vaccines-and-the-proposed-trips-waiver/" \l "_edn7) In addition, COVID-19 vaccines such as those produced by Pfizer and Moderna use emerging and very complex technologies and processes. These technologies and processes are essential to producing and increasing scale of COVID-19 vaccines. They are not published in patents but rather kept as trade secrets. The fourth protection mentioned above only prevents theft of trade secrets; it does not allow or disallow a company from keeping trade secrets. Waiving TRIPS therefore does nothing to speed up vaccine production even if there were excess manufacturing capacity, as manufacturers would not receive the essential trade secrets they would need. The issue at present is not underutilized manufacturing capacity, rather scaling up production has been the largest difficulty of vaccine manufacturing. It takes anywhere from 60 to 120 days to produce a single batch of vaccines. Even with manufacturing challenges, between 9.5 and 13.5 billion doses of COVID-19 vaccines are projected to be produced in 2021. Eleven billion doses would be sufficient to vaccinate 70 percent of the world population and reach heard immunity, assuming 2-dose vaccinations.[[8]](https://www.americanactionforum.org/insight/intellectual-property-covid-19-vaccines-and-the-proposed-trips-waiver/" \l "_edn8) TRIPS and Compulsory Licensing Separate from a broad IP waiver, TRIPS includes a compulsory licensing process. Foreign manufacturers are free to ask a patentee for a voluntary licensing agreement to manufacture a product. This process can be long, however, and the patentee can ultimately refuse. When this happens, TRIPS allows the manufacturer through its national government to grant a compulsory license provided the manufacturer has first sought a voluntary licensing agreement. This compulsory license is issued by that national government to the manufacturer to produce a patented drug without the original patentee’s permission. Each compulsory license must apply to a specific product. It is important to note that TRIPS does not have a governing body which oversees this process. At the same time, if a country grants an internationally unpopular compulsory license, it will face economic, political, and retaliatory ramifications from other governments and private firms, so governments must weigh these costs. In addition, if a country declares a national emergency or other circumstances of extreme urgency, TRIPS allows a foreign manufacturer to immediately apply for a compulsory license, skipping the process to apply for a voluntary license. A TRIPS waiver, like the one suggested for COVID-19-related IP, is therefore entirely unnecessary—even if IP protections were an obstacle to vaccine access. In the case of COVID-19, compulsory licensing would not, however, address the real issues related to scaling manufacturing capacity. The Vagueness of the Proposed TRIPS Waiver **Under the broad language of the proposed TRIPS waiver, any drugs that have use for patients with COVID-19, including those that predate the pandemic, could lose patent protection**. Thus, a foreign company could produce a specific drug under the auspices of COVID-19 but sell it for another disease. Moreover, the foreign company would not have to provide any financial compensation to the company from whom they took the IP. **The proposal’s language is so broad that other patented medical products beyond pharmaceutical drugs such as masks, non-pharmaceutical chemical compounds, and respirators would also be subject to the waiver.**

#### That’s bad—

## 1NC – Nuke War

### 1NC – Spark

#### Nuke war won’t cause extinction, but it’ll spur political will for meaningful disarmament.

Deudney 18 [Associate Professor of Political Science at Johns Hopkins University. 03/15/2018. “The Great Debate.” The Oxford Handbook of International Security. www.oxfordhandbooks.com, doi:10.1093/oxfordhb/9780198777854.013.22] // Re-Cut Justin

Although nuclear war is the oldest of these technogenic threats to civilization and human survival, and although important steps to restraint, particularly at the end of the Cold War, have been achieved, the nuclear world is increasingly changing in major ways, and in almost entirely dangerous directions. The third “bombs away” phase of the great debate on the nuclear-political question is more consequentially divided than in the first two phases. Even more ominously, most of the momentum lies with the forces that are pulling states toward nuclear-use, and with the radical actors bent on inflicting catastrophic damage on the leading states in the international system, particularly the United States. In contrast, the arms control project, although intellectually vibrant, is largely in retreat on the world political stage. The arms control settlement of the Cold War is unraveling, and the world public is more divided and distracted than ever. With the recent election of President Donald Trump, the United States, which has played such a dominant role in nuclear politics since its scientists invented these fiendish engines, now has an impulsive and uninformed leader, boding ill for nuclear restraint and effective crisis management. Given current trends, it is prudent to assume that sooner or later, and probably sooner, nuclear weapons will again be the used in war. But this bad news may contain a “silver lining” of good news. Unlike a general nuclear war that might have occurred during the Cold War, such a nuclear event now would probably not mark the end of civilization (or of humanity), due to the great reductions in nuclear forces achieved at the end of the Cold War. Furthermore, politics on “the day after” could have immense potential for positive change. The survivors would not be likely to envy the dead, but would surely have a greatly renewed resolution for “never again.” Such an event, completely unpredictable in its particulars, would unambiguously put the nuclear-political question back at the top of the world political agenda. It would unmistakeably remind leading states of their vulnerability It might also trigger more robust efforts to achieve the global regulation of nuclear capability. Like the bombings of Hiroshima and Nagasaki that did so much to catalyze the elevated concern for nuclear security in the early Cold War, and like the experience “at the brink” in the Cuban Missile Crisis of 1962, the now bubbling nuclear caldron holds the possibility of inaugurating a major period of institutional innovation and adjustment toward a fully “bombs away” future.

#### Counterforcing ensure only a few million die.

Mueller 9 [Woody Mueller, Chair of National Security Studies, Professor of Political Science at Ohio State University, Cato Senior Fellow, 2009 “Atomic Obsession: Nuclear Alarmism from Hiroshima to Al-Qaeda,” *Google Books*, October 5th, p. 8] // Re-Cut Justin

To begin to approach a condition that can credibly justify applying such extreme characterizations as societal annihilation, a full-out attack with hundreds, probably thousands, of thermonuclear bombs would be required. Even in such extreme cases, the area actually devastated by the bombs' blast and thermal pulse effective **would be limited**: 2,000 1-MT explosions with a destructive radius of 5 miles each would directly demolish **less than 5 percent** of the territory of the United States, for example. Obviously, if major population centers were targeted, this sort of attack could inflict massive casualties. Back in cold war days, when such devastating events sometimes seemed uncomfortably likely, a **number of studies** were conducted to estimate the consequences of massive thermonuclear attacks. One of the **most prominent** of these considered several probabilities. The most likely scenario--one that could be perhaps considered at least to begin to approach the rational--was a "counterforce" strike in which well over 1,000 thermonuclear weapons would be targeted at America's ballistic missile silos, strategic airfields, and nuclear submarine bases in an effort to destroy the country’s strategic ability to retaliate. Since the attack **would not** directly **target population centers**, most of the ensuing deaths would be from radioactive fallout, and the study estimates that from 2 to 20 million, depending mostly on wind, weather, and sheltering, would perish during the first month.15 That sort of damage, which would kill less than 10 percent of the population, might or might not be enough to trigger words like “annihilation.”

#### Small arsenals and tests prove no extinction

Frankel et al. 15 [Dr. Michael J. Frankel is a senior scientist at Penn State University’s Applied Research Laboratory, where he focuses on nuclear treaty verification technologies, is one of the nation’s leading experts on the effects of nuclear weapons, executive director of the Congressional Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack, led development of fifteen-year global nuclear threat technology projections and infrastructure vulnerability assessments; Dr. James Scouras is a national security studies fellow at the Johns Hopkins University Applied Physics Laboratory and the former chief scientist of DTRA’s Advanced Systems and Concepts Office; Dr. George W. Ullrich is chief technology officer at Schafer Corporation and formerly senior vice president at Science Applications International Corporation (SAIC), currently serves as a special advisor to the USSTRATCOM Strategic Advisory Group’s Science and Technology Panel and is a member of the Air Force Scientific Advisory Board. 04-15-15. “The Uncertain Consequences of Nuclear Weapons Use.” The Johns Hopkins University Applied Physics Laboratory. DTIC. <https://apps.dtic.mil/dtic/tr/fulltext/u2/a618999.pdf>] Justin

Scientific work based on real data, rather than models, also cast additional doubt on the basic premise. Interestingly, publication of several contradictory papers describing experimental observations actually predated Schell’s work. In 1973, nine years before publication of The Fate of the Earth, a published report failed to find any ozone depletion during the peak period of atmospheric nuclear testing.26 In another work published in 1976, attempts to measure the actual ozone depletion associated with Russian megaton-class detonations and Chinese nuclear tests were also unable to detect any significant effect.27 At present, with the reduced arsenals and a perceived low likelihood of a large-scale exchange on the scale of Cold War planning scenarios, official concern over nuclear ozone depletion has essentially fallen off the table. Yet continuing scientific studies by a small dedicated community of researchers suggest the potential for dire consequences, even for relatively small regional nuclear wars involving Hiroshimasize bombs. Nuclear Winter The possibility of catastrophic climate changes came as yet another surprise to Department of Defense scientists. In 1982, Crutzen and Birks highlighted the potential effects of high-altitude smoke on climate,29 and in 1983, a research team consisting of Turco, Toon, Ackerman, Pollack, and Sagan (referred to as TTAPS) suggested that a five-thousand-megaton strategic exchange of weapons between the United States and the Soviet Union could effectively spell national suicide for both belligerents.30 They argued that a massive nuclear exchange between the United States and the Soviet Union would inject copious amounts of soot, generated by massive firestorms such as those witnessed in Hiroshima, into the stratosphere where it might reside indefinitely. Additionally, the soot would be accompanied by dust swept up in the rising thermal column of the nuclear fireball. The combination of dust and soot could scatter and absorb sunlight to such an extent that much of Earth would be engulfed in darkness sufficient to cease photosynthesis. Unable to sustain agriculture for an extended period of time, much of the planet’s population would be doomed to perish, and—in its most extreme rendition—humanity would follow the dinosaurs into extinction and by much the same mechanism.31 Subsequent refinements by the TTAPS authors, such as an extension of computational efforts to three-dimensional models, continued to produce qualitatively similar results. The TTAPS results were severely criticized, and a lively debate ensued between passionate critics of and defenders of the analysis. Some of the technical objections critics raised included the TTAPS team’s neglect of the potentially significant role of clouds;32 lack of an accurate model of coagulation and rainout;33 inaccurate capture of feedback mechanisms;34 “fudge factor” fits of micrometer-scale physical processes assumed to hold constant for changed atmospheric chemistry conditions and uniformly averaged on a grid scale of hundreds of kilometers;35 the dynamics of firestorm formation, rise, and smoke injection;36 and estimates of the optical properties and total amount of fuel available to generate the assumed smoke loading. In particular, more careful analysis of the range of uncertainties associated with the widely varying published estimates of fuel quantities and properties suggested a possible range of outcomes encompassing much milder impacts than anything predicted by TTAPS.37 Aside from the technical issues critics raised, the five-thousand-megaton baseline exchange scenario TTAPS envisioned was rendered obsolete when the major powers decreased both their nuclear arsenals and the average yield of the remaining weapons. With the demise of the Soviet Union, the nuclear winter issue essentially fell off the radar screen for Department of Defense scientists, which is not to say that it completely disappeared from the scientific literature. In the last few years, a number of analysts, including some of the original TTAPS authors, suggested that even a “modest” regional exchange of nuclear weapons—one hundred explosions of fifteenkiloton devices in an Indian–Pakistani exchange scenario—might yet produce significant worldwide climate effects, if not the full-blown “winter.”38 However, such concerns have failed to gain much traction in Department of Defense circles.

#### Empirics – we’ve nuked ourselves 2,000 times and the largest event was only 1/1000th as powerful as natural disasters

Eken 17 [Mattias Eken - PhD student in Modern History at the University of St Andrews. “The understandable fear of nuclear weapons doesn’t match reality”. 3/14/17. <https://theconversation.com/the-understandable-fear-of-nuclear-weapons-doesnt-match-reality-73563>] // Re-Cut Justin

Nuclear weapons are unambiguously the most destructive weapons on the planet. Pound for pound, they are the most lethal weapons ever created, capable of killing millions. Millions live in fear that these weapons will be used again, with all the potential consequences. However, the destructive power of these weapons **has been vastly exaggerated**, albeit for good reasons. Public fear of nuclear weapons being used in anger, whether by terrorists or nuclear-armed nations, has risen once again in recent years. **This is** in no small part **thanks to the current political climate** between states such as the US and Russia and the various nuclear tests conducted by North Korea. But whenever we talk about nuclear weapons, it’s easy to get carried away with doomsday scenarios and apocalyptic language. As the historian Spencer Weart once argued: “**You say ‘nuclear bomb’ and everybody immediately thinks of the end of the world.**” Yet the means necessary to produce a nuclear bomb, let alone set one off, remain incredibly complex – and while the damage that would be done if someone did in fact detonate one might be very serious indeed, **the chances that it would mean “the end of the world” are vanishingly small**. In his 2013 book Command and Control, the author Eric Schlosser tried to scare us into perpetual fear of nuclear weapons by recounting stories of near misses and accidents involving nuclear weapons. One such event, the 1980 Damascus incident, saw a Titan II intercontinental ballistic missile explode at its remote Arkansas launch facility after a maintenance crew accidentally ruptured its fuel tank. Although the warhead involved in the incident didn’t detonate, Schlosser claims that “if it had, much of Arkansas would be gone”. But that’s not quite the case. The nine-megaton thermonuclear warhead on the **Titan II** missile had a blast radius of 10km, or an area of about 315km². The state of Arkansas spreads over 133,733km², meaning the weapon **would have caused destruction across 0.2% of the state.** That would naturally have been a terrible outcome, but certainly not the catastrophe that Schlosser evokes. Claims exaggerating the effects of nuclear weapons have become commonplace, especially after the September 11 terrorist attacks in 2001. In the early War on Terror years, Richard Lugar, a former US senator and chair of the Senate Foreign Relations Committee, argued that terrorists armed with nuclear weapons pose an existential threat to the Western way of life. What he failed to explain is how. It is by no means certain that a single nuclear detonation **(or even several)** would do away with our current way of life. Indeed, **we’re still here despite having nuked our own planet more than 2,000 times** – a tally expressed beautifully in this video by Japanese artist Isao Hashimoto). While the 1963 Limited Test Ban Treaty forced nuclear tests underground, **around 500 of** all **the nuclear weapons detonated were unleashed in the Earth’s atmosphere**. This includes the world’s largest ever nuclear detonation, the 57-megaton bomb known as **Tsar Bomba**, detonated by the Soviet Union on October 30 1961. Tsar Bomba was more than 3,000 times more powerful than the bomb dropped on Hiroshima. That is immense destructive power – but as one physicist explained, **it’s only “one-thousandth the force of an earthquake, one-thousandth the force of a hurricane”.** The Damascus incident proved how incredibly hard it is to set off a nuclear bomb and the limited effect that would have come from just one warhead detonating. Despite this, some scientists have controversially argued that an even limited all-out nuclear war might lead to a so-called nuclear winter, since the smoke and debris created by very large bombs could block out the sun’s rays for a considerable amount of time. To inflict such ecological societal annihilation with weapons alone, we would have to detonate hundreds if not thousands of thermonuclear devices in a short time. Even in such extreme conditions, the area actually devastated by the bombs would be limited: for example, **2,000 one-megaton explosions with a destructive radius of five miles each would directly destroy less than 5% of the territory of the US**. Of course, if the effects of nuclear weapons have been greatly exaggerated, there is a very good reason: since these weapons are indeed extremely dangerous, any posturing and exaggerating which intensifies our fear of them makes us less likely to use them. But it’s important, however, to understand why people have come to fear these weapons the way we do. After all, nuclear weapons are here to stay; they can’t be “un-invented”. If we want to live with them and mitigate the very real risks they pose, we must be honest about what those risks really are. Overegging them to frighten ourselves more than we need to keeps nobody safe.

### 1NC – AT: Warming

#### Warming doesn’t trigger extinction

* peer-reviewed journal shows IPCC exaggeration
* history proves resilience
* no extinction- warming under Paris goals
* rock breaking strategy could offset warming

IBD 18 [Investors Business Daily, Citing Study from Peer reviewed journal by Lewis and Curry, “Here's One Global Warming Study Nobody Wants You To See”, 4/25/18, https://www.investors.com/politics/editorials/global-warming-computer-models-co2-emissions/]

Settled Science: A new study published in a peer-reviewed journal finds that climate models exaggerate the global warming from CO2 emissions by as much as 45%. If these findings hold true, it's huge news. No wonder the mainstream press is ignoring it.

In the study, authors Nic Lewis and Judith Curry looked at actual temperature records and compared them with climate change computer models. What they found is that the planet has shown itself to be far less sensitive to increases in CO2 than the climate models say. As a result, they say, the planet will warm less than the models predict, even if we continue pumping CO2 into the atmosphere.

As Lewis explains: "Our results imply that, for any future emissions scenario, future warming is likely to be substantially lower than the central computer model-simulated level projected by the (United Nations Intergovernmental Panel on Climate Change), and highly unlikely to exceed that level.

How much lower? Lewis and Curry say that their findings show temperature increases will be 30%-45% lower than the climate models say. If they are right, then there's little to worry about, even if we don't drastically reduce CO2 emissions.

The planet will warm from human activity, but not nearly enough to cause the sort of end-of-the-world calamities we keep hearing about. In fact, the resulting warming would be below the target set at the Paris agreement.

This would be tremendously good news.

The fact that the Lewis and Curry study appears in the peer-reviewed American Meteorological Society's Journal of Climate lends credibility to their findings. This is the same journal, after all, that recently published widely covered studies saying the Sahara has been growing and the climate boundary in central U.S. has shifted 140 miles to the east because of global warming.

The Lewis and Curry findings come after another study, published in the prestigious journal Nature, that found the long-held view that a doubling of CO2 would boost global temperatures as much as 4.5 degrees Celsius was wrong**.** The most temperatures would likely climb is 3.4 degrees.

It also follows a study published in Science, which found that rocks contain vast amounts of nitrogen that plants could use to grow and absorb more CO2, potentially offsetting at least some of the effects of CO2 emissions and reducing future temperature increases.

#### Warming isn’t existential---new studies.

Nordhaus 20. Ted Nordhaus, an American author, environmental policy expert, and the director of research at The Breakthrough Institute, citing new climate change forecasts. [Ignore the Fake Climate Debate, 1-23-2020, https://www.wsj.com/articles/ignore-the-fake-climate-debate-11579795816]//BPS

Beyond the headlines and social media, where Greta Thunberg, Donald Trump and the online armies of climate “alarmists” and “deniers” do battle, there is a real climate debate bubbling along in scientific journals, conferences and, occasionally, even in the halls of Congress. It gets a lot less attention than the boisterous and fake debate that dominates our public discourse, but it is much more relevant to how the world might actually address the problem. In the real climate debate, no one denies the relationship between human emissions of greenhouse gases and a warming climate. Instead, the disagreement comes down to different views of climate risk in the face of multiple, cascading uncertainties. On one side of the debate are optimists, who believe that, with improving technology and greater affluence, our societies will prove quite adaptable to a changing climate. On the other side are pessimists, who are more concerned about the risks associated with rapid, large-scale and poorly understood transformations of the climate system. But most pessimists do not believe that runaway climate change or a hothouse earth are plausible scenarios, much less that human extinction is imminent. And most optimists recognize a need for policies to address climate change, even if they don’t support the radical measures that Ms. Thunberg and others have demanded. In the fake climate debate, both sides agree that economic growth and reduced emissions vary inversely; it’s a zero-sum game. In the real debate, the relationship is much more complicated. Long-term economic growth is associated with both rising per capita energy consumption and slower population growth. For this reason, as the world continues to get richer, higher per capita energy consumption is likely to be offset by a lower population. A richer world will also likely be more technologically advanced, which means that energy consumption should be less carbon-intensive than it would be in a poorer, less technologically advanced future. In fact, a number of the high-emissions scenarios produced by the United Nations Intergovernmental Panel on Climate Change involve futures in which the world is relatively poor and populous and less technologically advanced. Affluent, developed societies are also much better equipped to respond to climate extremes and natural disasters. That’s why natural disasters kill and displace many more people in poor societies than in rich ones. It’s not just seawalls and flood channels that make us resilient; it’s air conditioning and refrigeration, modern transportation and communications networks, early warning systems, first responders and public health bureaucracies. New research published in the journal Global Environmental Change finds that global economic growth over the last decade has reduced climate mortality by a factor of five, with the greatest benefits documented in the poorest nations. In low-lying Bangladesh, 300,000 people died in Cyclone Bhola in 1970, when 80% of the population lived in extreme poverty. In 2019, with less than 20% of the population living in extreme poverty, Cyclone Fani killed just five people. “Poor nations are most vulnerable to a changing climate. The fastest way to reduce that vulnerability is through economic development.” So while it is true that poor nations are most vulnerable to a changing climate, it is also true that the fastest way to reduce that vulnerability is through economic development, which requires infrastructure and industrialization. Those activities, in turn, require cement, steel, process heat and chemical inputs, all of which are impossible to produce today without fossil fuels. For this and other reasons, the world is unlikely to cut emissions fast enough to stabilize global temperatures at less than 2 degrees above pre-industrial levels, the long-standing international target, much less 1.5 degrees, as many activists now demand. But recent forecasts also suggest that many of the worst-case climate scenarios produced in the last decade, which assumed unbounded economic growth and fossil-fuel development, are also very unlikely. There is still substantial uncertainty about how sensitive global temperatures will be to higher emissions over the long-term. But the best estimates now suggest that the world is on track for 3 degrees of warming by the end of this century, not 4 or 5 degrees as was once feared. That is due in part to slower economic growth in the wake of the global financial crisis, but also to decades of technology policy and energy-modernization efforts. “We have better and cleaner technologies available today because policy-makers in the U.S. and elsewhere set out to develop those technologies.” The energy intensity of the global economy continues to fall. Lower-carbon natural gas has displaced coal as the primary source of new fossil energy. The falling cost of wind and solar energy has begun to have an effect on the growth of fossil fuels. Even nuclear energy has made a modest comeback in Asia.