# 1NC vs Prospect ST

## OFF

### 1NC - OFF

T-Vaccines

#### Interpretation – topical affs must defend a reduction of intellectual property protections for *medicines*.

#### Violation – they reduce IP protections on *vaccines* which is categorically distinct

**Violation: vaccines are medical interventions, not medicines**

Elbe 10 [Stefan Elbe, director of the Centre for Global Health Policy and a professor of international relations at the University of Sussex. "Security and Global Health," ISBN 0745643744, accessed 8-10-2021, https://www.wiley.com/en-ee/Security+and+Global+Health-p-9780745643731] HWIC

Yet here too we must be careful not to overlook other types of medical intervention simultaneously pursued by the 'social' arm of modern medicine at the population level. Vaccines in particular continue to be particularly important medical interventions that repeatedly surface in a variety of different health security delib- erations. Strictly speaking, vaccines are not medicines because they consist of small concentrations of disease-causing microbes (or their derivatives) used to enhance a person's immuno-response to a future infection. As a public health measure, vaccines have therefore also been largely sidelined in the existing medicalization literature. Yet, generally speaking, vaccines too can be considered as medical inter- ventions. That is certainly how the World Health Organization views them, pointing out that 'vaccines are among the most important medical interventions for reducing illness and deaths' available today (WHO 2009a). Whereas pills and other therapies mark the tools of clinical medicine, vaccines play a crucial part in the arsenal of 'social' medicine and public health. Developing and rolling out of new vaccines against a range of current (and future) diseases therefore represents further evidence of how the rise of health security is also encouraging security to be practised through the introduction of new medical interventions in society.

**Vaccines are different from medicines in the context of intellectual property**

Garrison 04 [Christopher Garrison, Consultant Legal Advisor to WHO. "Intellectual Property Rights and Vaccines in Developing countries," 04-13-2004, accessed 9-2-2021, https://www.who.int/intellectualproperty/events/en/Background\_paper.pdf?ua=1] HWIC

In the last few years, there has been a substantial debate about how intellectual property impacts medicines and in particular how the TRIPS Agreement impacts access to medicines in the developing world. Vaccines are different from medicines in a number of important respects however (at least from the small molecule ‘pill’ medicines if not the newer ‘biotech’ medicines). The issues raised in the access to medicines debate may therefore apply to a greater or lesser extent for vaccines, depending on these differences. This section examines a few of the different forms of intellectual property rights that are relevant in the context of vaccines and outlines the impact of some of the differences between vaccines and medicines.

#### Prefer –

#### Limits – allowing non medicines explodes limits to include affs that defend reducing protections for surgeries, therapy, injury prevention, cosmetic procedures, etc. – makes neg prep impossible because the case neg to the Botox and Laser Eye Surgery affs would have no overlap – privileges the aff by stretching pre-tournament neg prep too thin and precluding nuanced rigorous testing of aff

#### Ground – arbitrarily not defending medicines kills links to core neg generics about drug innovation, competition over pharmaceutical development, or production of medicine needing to increase because medical interventions are uncontroversial – plus they’re regulated by different agencies – pushes 1NCs to the fringes like Ks that disagree with everything or sketchy CPs which destroys clash.

#### No plan text in a vacuum – the only way to logically join the plan text and advantage is to presume they defend the medicines discussed in their advantage

#### Paradigm issues –

#### Drop the debater – their abusive advocacy skewed the debate from the start

#### Comes before 1AR theory – NC abuse is responsive to them not being topical

#### Competing interps – reasonability invites arbitrary judge intervention and a race to the bottom of questionable argumentation

#### Fairness is a voter ­– necessary to determine the better debater

#### Education is a voter – why schools fund debate

### 1NC - OFF

Debt Ceiling DA

#### Debt ceiling bill’s going to pass now, but business interests are key to force GOP to cave --- debt ceiling is key to prevent drastic economic collapse, aid to Americans, and further legislation

Barron-Lopez and Cadelago 9-9 [Lauara Barron-Lopez and Christopher Cadelago are White House Correspondents for Politico. “Biden wants to force Republicans to vote on the debt ceiling, sensing they’ll cave.” September 9, 2021. https://www.politico.com/news/2021/09/09/biden-mcconnell-debt-limit-threats-510922]

President Joe Biden is treating the latest Republican threats over the debt limit like a bluff. And the entire party, from congressional Democratic leadership to the top brass at the Treasury Department, is calling them on it. Multiple Democratic sources on the Hill and with knowledge of the White House’s thinking said the administration wants to include a suspension of the debt limit — a legal cap on how much the U.S. can borrow — in a continuing resolution to fund the government. Such a bill, which Congress is expected to consider as early as this month, would require 60 votes to pass in the Senate, meaning at least 10 Republicans would need to vote to advance the measure. To challenge those Republicans, Biden is also calling on Congress to include funding for hurricane relief in the bill, and Democratic leadership has continued to shoot down questions about possible alternative legislative vehicles in recent conversations with members and close allies. Including a debt limit increase in Democrats’ pending party-line reconciliation package, for example, is one option. But the White House and Democratic leaders are not entertaining it at present. “They're right at the moment to say, 'We're working on Plan A,'” said a lobbyist with knowledge of the party’s strategy. “The minute you start to signal that that doesn't work then you're signaling weakness.” The posture from the president on down is setting up a game of chicken with incredibly high stakes — if a vote to suspend or increase the debt limit fails, the U.S. economy will likely crater. Treasury officials have said lawmakers will have until an unspecified date next month before the department runs out of ways to prevent a default. The debt limit is the foundation of the “full faith and credit” of the country’s currency and bonds. If it isn’t raised or suspended, the U.S. defaults on its bond investors, its credit rating could tank and, in turn, the government could be forced to scale back on Medicare benefits, Social Security checks and other programs. The belief in the White House is that a mix of pressure — from business leaders expressing urgency to fears of a full blown financial crisis — will be most acute on Republicans as the deadline nears. After voting for years to suspend or increase the debt limit with Democrats — a routine step required by law — GOP lawmakers in recent history have used the threat of default to score political points when a Democratic president is in charge. Learning from his former boss, President Barack Obama — who vowed not to negotiate over the debt ceiling after doing it once — Biden is essentially daring Republicans to vote down a debt limit suspension or increase. Since Republicans led by Senate Minority Leader Mitch McConnell announced publicly that his party members wouldn’t support an increase in the debt limit, the Biden administration has not had any additional talks with him on the issue. McConnell’s office pointed to the senator’s past comments on the debt ceiling but did not address whether the two sides had talked. A White House official said the administration is largely deferring to congressional leaders on the procedural aspects of how to pursue a debt limit increase or suspension. Whether Democrats are pursuing a long- or short-term increase remains unclear. In public and private conversations and briefings with Hill aides, the White House has two main positions: Don’t negotiate with Republicans over what should be a routine vote and clearly message that the debt limit addresses past, not future, spending, seeking to avoid confusion and rebuff GOP attacks over a complex topic. “The debt limit is a function of bills that Congress has already passed, already wrapped up,” said Brian Deese, director of the White House National Economic Council. “Even if Congress took no future action ever, did nothing else in the future, Congress would have to raise or suspend the debt limit because it’s a reflection of actions already taken.” The showdown comes as Biden faces a grueling month that will determine the fate of his signature economic items: the bipartisan infrastructure bill and social spending package. On top of that, government funding runs out Sept. 30, the coronavirus pandemic continues to rage and parts of the country are struggling to rebuild after devastating hurricanes and wildfires. “With everything from Covid to Afghanistan to the weather incidents, the idea that we would self inflict another blow to our country right now and even putting in potential jeopardy the full faith and credit of the United States would be crazy,” said Sen. Mark Warner (D-Va.). Warner said it’s imperative that Democrats clearly articulate why a default is so cataclysmic and that Republicans are also responsible for the debt limit. “Do you really want to vote for shutting down the government, not giving aid to people who are the third of Americans who've had weather affect [them] and mess with the full faith and credit of the United States all in one vote?” Warner said of Republicans. “I hope not.” Warner added that a decade ago, there was near unanimity about the dangerous consequences of not raising the debt limit. “But that was before there was an age of the level of misinformation and disinformation,” he said. “This was not a tool that was used against President Trump so on a fairness argument, we’re making the case. Whether that wins the day at a time when things are so unusual, time will tell.” To stave off a crisis, the administration is also having conversations with business leaders and community bankers and expects them to apply pressure to Republicans with warnings that a default would be catastrophic for the economy, the White House official said. Others who have spent years working on the issue said the fiscal cliff standoff between Obama and Republicans in 2011 — and the resulting lessons both parties have taken since — is informing Biden’s strategy as president. Seth Hanlon, a former special assistant to Obama at the National Economic Council, said the lesson from that episode is that the debt limit is plainly non-negotiable. Republicans took away a different lesson altogether. At the time, they refused to vote to raise the debt limit unless they got corresponding budget cuts. Obama negotiated with congressional GOP leaders on a deal and, after talks scuttled, Biden himself picked up the baton and hammered out an agreement with McConnell. McConnell later said he came away believing that the debt limit, which underlies the financial well-being of the country, was “a hostage that's worth ransoming." That standoff between Democrats and Republicans resulted in the nation’s credit rating being downgraded for the first time in history, something Treasury officials have pointed to in recent days as evidence that even negotiations over the debt limit have damaging consequences. “There were a number of times after 2011 where there was a lot of Republican hue and cry over the debt limit when Obama was president, but ultimately, Mitch McConnell found the cover for himself and his members and joined in raising it,” said Hanlon, now a senior fellow at the Center for American Progress. So far, McConnell has put the onus squarely on Biden and Democrats to raise the debt limit, saying last month that “they have the House, the Senate and the presidency. It’s their obligation to govern … and the essence of governing is to raise the debt ceiling to cover the debt.” In recent remarks on the subject, McConnell stressed that “the debt ceiling needs to be raised,” but said the emphasis is “who should do it. And under these uniquely unprecedented circumstances,” he added, “it’s their obligation to do it.” But Hanlon said he’s confident that pressure from Republican allies in the conservative ranks of big business will ultimately force them to capitulate. “They’re attuned to financial markets and they know the disastrous consequences that will result,” he said of the GOP brinkmanship on Capitol Hill. “As extreme as the Republican Party has become, I don't think McConnell is ultimately willing to push the U.S. over the cliff.”

#### Big Pharma backlashes --- deep money ties to GOP in Congress means they pull the strings

Hutteman 20 [Emmarie Huetteman, Correspondent, came to KHN from The New York Times, where she covered Congress with a focus on the House of Representatives and, most recently, the investigations into Russian meddling in the 2016 election. “Senators who led pharma-friendly patent reform also prime targets for pharma friendly cash.” Mar. 24, 2020. https://khn.org/news/senators-who-led-pharma-friendly-patent-reform-also-prime-targets-for-pharma-cash/]

As the new gatekeeper for laws and oversight of the nation’s patent system, the North Carolina Republican signaled he was determined to make it easier for American businesses to benefit from it — a welcome message to the drugmakers who already leverage patents to block competitors and keep prices high. Less than three weeks after introducing a bill that would make it harder for generic drugmakers to compete with patent-holding drugmakers, Tillis opened the subcommittee’s first meeting on Feb. 26, 2019, with his own vow. “From the United States Patent and Trademark Office to the State Department’s Office of Intellectual Property Enforcement, no department or bureau is too big or too small for this subcommittee to take interest,” he said. “And we will.” In the months that followed, tens of thousands of dollars flowed from pharmaceutical companies toward his campaign, as well as to the campaigns of other subcommittee members — including some who promised to stop drugmakers from playing money-making games with the patent system, like Sen. John Cornyn (R-Texas). Tillis received more than $156,000 from political action committees tied to drug manufacturers in 2019, more than any other member of Congress, a new analysis of [KHN’s Pharma Cash to Congress database](https://khn.org/news/campaign/) shows. Sen. Chris Coons (D-Del.), the top Democrat on the subcommittee who worked side by side with Tillis, received more than $124,000 in drugmaker contributions last year, making him the No. 3 recipient in Congress. No. 2 was Sen. Mitch McConnell (R-Ky.), who took in about $139,000. As the Senate majority leader, he controls what legislation gets voted on by the Senate. Neither Tillis nor Coons sits on the Senate committees that introduced legislation last year to lower drug prices through methods like capping price increases to the rate of inflation. Of the four senators who drafted those bills, none received more than $76,000 from drug manufacturers in 2019. Tillis and Coons spent much of last year working on significant legislation that would expand the range of items eligible to be patented — a change that some experts say would make it easier for companies developing medical tests and treatments to own things that aren’t traditionally inventions, like genetic code. They have not yet officially introduced a bill. As obscure as patents might seem in an era of public outrage over drug prices, the fact that drugmakers gave most to the lawmakers working to change the patent system belies how important securing the exclusive right to market a drug, and keep competitors at bay, is to their bottom line. “Pharma will fight to the death to preserve patent rights,” said Robin Feldman, a professor at the UC Hastings College of the Law in San Francisco who is an expert in intellectual property rights and drug pricing. “Strong patent rights are central to the games drug companies play to extend their monopolies and keep prices high.” Campaign contributions, closely tracked by the Federal Election Commission, are among the few windows into how much money flows from the political groups of drugmakers and other companies to the lawmakers and their campaigns. Private companies generally give money to members of Congress to encourage them to listen to the companies, typically through lobbyists, whose activities are difficult to track. They may also communicate through [so-called dark money groups](https://www.opensecrets.org/darkmoney/dark-money-basics.php), which are not required to report who gives them money. Over the past 10 years, the pharmaceutical industry [has spent about $233 million per year on lobbying](https://jamanetwork.com/journals/jamainternalmedicine/fullarticle/2762509), according to a new study published in JAMA Internal Medicine. That is more than any other industry, including the oil and gas industry. Why Patents Matter Developing and testing a new drug, and gaining approval from the Food and Drug Administration, can take years and cost hundreds of millions of dollars. Drugmakers are generally granted a six- or seven-year exclusivity period to recoup their investments. But drugmakers have found ways to extend that period of exclusivity, sometimes accumulating hundreds of patents on the same drug and blocking competition for decades. One method is to patent many inventions beyond a drug’s active ingredient, such as patenting the injection device that administers the drug. Keeping that arrangement intact, or expanding what can be patented, is where lawmakers come in. Lawmakers Dig In Tillis’ home state of North Carolina is also home to three major research universities and, not coincidentally, multiple drugmakers’ headquarters, factories and other facilities. From his swearing-in in 2015 to the end of 2018, Tillis received about $160,000 from drugmakers based there or beyond. He almost matched that four-year total in 2019 alone, in the midst of a difficult reelection campaign to be decided this fall. He has [raised nearly $10 million for his campaign](http://www.opensecrets.org/members-of-congress/summary?cid=N00035492), with lobbyists among his biggest contributors, according to OpenSecrets. Daniel Keylin, a spokesperson for Tillis, said Tillis and Coons, the subcommittee’s top Democrat, are working to overhaul the country’s “antiquated intellectual property laws.” Keylin said the bipartisan effort protects the development and access to affordable, lifesaving medication for patients,” adding: “No contribution has any impact on how [Tillis] votes or legislates.” Tillis signaled his openness to the drug industry early on. The day before being named chairman, he reintroduced a bill that would limit the options generic drugmakers have to challenge allegedly invalid patents, effectively helping brand-name drugmakers protect their monopolies. Former Sen. Orrin Hatch (R-Utah), whose warm relationship with the drug industry [was well-known](https://www.statnews.com/2018/01/02/senator-hatch-pharma-retirement/), had introduced the legislation, the Hatch-Waxman Integrity Act, just days before his retirement in 2018. At his subcommittee’s first hearing, Tillis said the members would rely on testimony from private businesses to guide them. He promised to hold hearings on patent eligibility standards and “reforms to the Patent Trial and Appeal Board.” In practice, the Hatch-Waxman Integrity Act would require generics makers challenging another drugmaker’s patent to either take their claim to the Patent Trial and Appeal Board, which acts as a sort of cheaper, faster quality check to catch bad patents, or file a lawsuit. [A study released last year](https://www.ncbi.nlm.nih.gov/pubmed/30141133) found that, since Congress created the Patent Trial and Appeal Board in 2011, it has narrowed or overturned about 51% of the drugmaker patents that generics makers have challenged. Feldman said the drug industry “went berserk” over the number of patents the board changed and has been eager to limit use of the board as much as possible. Patent reviewers are often stretched thin and sometimes make mistakes, said Aaron Kesselheim, a Harvard Medical School professor who is an expert in intellectual property rights and drug development. Limiting the ways to challenge patents, as Tillis’ bill would, does not strengthen the patent system, he said. “You want overlapping oversight for a system that is as important and fundamental as this system is,” he said. As promised, Tillis and Coons also spent much of the year working on so-called Section 101 reform regarding what is eligible to be patented — “a very major change” that “would overturn more than a century of Supreme Court law,” Feldman said. Sean Coit, Coons’ spokesperson, said lowering drug prices is one of the senator’s top priorities and pointed to [Coon’s support for legislation the pharmaceutical industry opposes](https://www.coons.senate.gov/news/press-releases/sen-coons-cosponsors-legislation-to-bring-down-prescription-drug-costs). “One of the reasons Senator Coons is leading efforts in Congress to fix our broken patent system is so that life-saving medicines can actually be developed and produced at affordable prices for every American,” Coit wrote in an email, adding that “his work on Section 101 reform has brought together advocates from across the spectrum, including academics and health experts.” In August, when much of Capitol Hill had emptied for summer recess, Tillis and Coons [held closed-door meetings to preview their legislation to stakeholders](https://www.tillis.senate.gov/2019/8/tillis-coons-to-hold-new-huddles-on-patent-eligibility-proposal), including the Pharmaceutical Research and Manufacturers of America, or PhRMA, the brand-name drug industry’s lobbying group. “We regularly engage with members of Congress in both parties to advance practical policy solutions that will lower medicine costs for patients,” said Holly Campbell, a PhRMA spokesperson. Neither proposal has received a public hearing. In the 30 days before Tillis and Coons were named leaders of the revived subcommittee, drug manufacturers gave them $21,000 from their political action committees. In the 30 days following that first hearing, Tillis and Coons received $60,000. Among their donors were PhRMA; the Biotechnology Innovation Organization, the biotech lobbying group; and five of the seven drugmakers whose executives — as Tillis laid out a pharma-friendly agenda for his new subcommittee — were getting chewed out by senators in a different hearing room over patent abuse. Cornyn Goes After Patent Abuse Richard Gonzalez, chief executive of AbbVie Inc., the company known for its top-selling drug, Humira, had spent the morning sitting stone-faced before the Senate Finance Committee as, one after another, senators excoriated him and six other executives of brand-name drug manufacturers over how they price their products. Cornyn [brought up AbbVie’s more than 130 patents on Humira](https://www.c-span.org/video/?c4782349/user-clip-sen-john-cornyn-calls-senate-judiciary-committee-referral). Hadn’t the company blocked its competition? Cornyn asked Gonzalez, who carefully explained how AbbVie’s lawsuit against a generics competitor and subsequent licensing deal was not what he would describe as anti-competitive behavior. “I realize it may not be popular,” Gonzalez said. “But I think it is a reasonable balance.” A minute later, Cornyn turned to Sen. Chuck Grassley (R-Iowa), who, like Cornyn, was also a member of the revived intellectual property subcommittee. This is worth looking into with “our Judiciary Committee authorities as well,” Cornyn said, effectively threatening legislation on patent abuse. The next day, Mylan, one of the largest producers of generic drugs, gave Cornyn $5,000, FEC records show. The company had not donated to Cornyn in years. By midsummer, every drug company that sent an executive to that hearing had given money to Cornyn, including AbbVie. Cornyn, who faces perhaps the most difficult reelection fight of his career this fall, ranks No. 6 among members of Congress in drugmaker PAC contributions last year, KHN’s analysis shows. He received about $104,000. Cornyn has received about $708,500 from drugmakers since 2007, KHN’s database shows. According to OpenSecrets, he has [raised more than $17 million for this year’s reelection campaign](https://www.opensecrets.org/members-of-congress/summary?cid=N00024852). Cornyn’s office declined to comment. On May 9, Cornyn and Sen. Richard Blumenthal (D-Conn.) introduced the Affordable Prescriptions for Patients Act, which proposed to define two tactics used by drug companies to make it easier for the Federal Trade Commission to prosecute them: “product-hopping,” when drugmakers withdraw older versions of their drugs from the market to push patients toward newer, more expensive ones, and “patent-thicketing,” when drugmakers amass a series of patents to drag out their exclusivity and slow rival generics makers, who must challenge those patents to enter the market once the initial exclusivity ends. PhRMA opposed the bill. The next day, it gave Cornyn $1,000. Cornyn and Blumenthal’s bill would have been “very tough on the techniques that pharmaceutical companies use to extend patent protections and to keep prices high,” Feldman said. “The pharmaceutical industry lobbied tooth and nail against it,” she said. “And when the bill finally came out of committee, the strongest provisions — the patent-thicketing provisions — had been stripped.” In the months after the bill cleared committee and waited to be taken up by the Senate, Cornyn blamed Senate Democrats for blocking the bill while trying to secure votes on legislation with more direct controls on drug prices. The Senate has not voted on the bill.

**Economic crisis escalates to nuke war**

Dr. Qian **Liu 18**, PhD in Economics from Uppsala University, Former Visiting Researcher at the University of California, Berkeley, Managing Director for Greater China at The Economist Group, Guest Lecturer at New York University, Tsinghua University, the Chinese Academy of Social Sciences and Fudan University, “The Next Economic Crisis Could Cause A Global Conflict. Here's Why”, World Economic Forum, 11-13, https://www.weforum.org/agenda/2018/11/the-next-economic-crisis-could-cause-a-global-conflict-heres-why

The next economic crisis is closer than you think. But what you should really worry about is what comes after: in the **current social, political, and technological landscape**, a prolonged economic crisis, combined with rising income inequality, could well **escalate** into a **major global military conflict**. The 20**08**-09 global financial crisis **almost** bankrupted governments and caused systemic collapse. Policymakers managed to pull the global economy back from the brink, using massive monetary stimulus, including quantitative easing and near-zero (or even negative) interest rates. But monetary stimulus is like an adrenaline shot to jump-start an arrested heart; it can revive the patient, but it does nothing to cure the disease. Treating a sick economy requires structural reforms, which can cover everything from financial and labor markets to tax systems, fertility patterns, and education policies. Policymakers have utterly failed to pursue such reforms, despite promising to do so. Instead, they have remained preoccupied with politics. From Italy to Germany, forming and sustaining governments now seems to take more time than actual governing. And Greece, for example, has relied on money from international creditors to keep its head (barely) above water, rather than genuinely reforming its pension system or improving its business environment. The lack of structural reform has meant that the unprecedented excess liquidity that central banks injected into their economies was not allocated to its most efficient uses. Instead, it raised global asset prices to levels even higher than those prevailing before 2008. In the United States, housing prices are now 8% higher than they were at the peak of the property bubble in 2006, according to the property website Zillow. The price-to-earnings (CAPE) ratio, which measures whether stock-market prices are within a reasonable range, is now higher than it was both in 2008 and at the start of the Great Depression in 1929. As monetary tightening reveals the vulnerabilities in the real economy, the collapse of asset-price bubbles will trigger another economic crisis – one that could be even more severe than the last, because we have built up a tolerance to our strongest macroeconomic medications. A decade of regular adrenaline shots, in the form of ultra-low interest rates and unconventional monetary policies, has severely depleted their power to stabilize and stimulate the economy. If history is any guide, the consequences of this mistake could extend **far beyond** the economy. According to Harvard’s Benjamin Friedman, prolonged periods of economic distress have been characterized also by public antipathy toward minority groups or foreign countries – attitudes that can help to fuel **unrest**, **terrorism**, or even **war**. For example, during the Great Depression, US President Herbert Hoover signed the 1930 **Smoot-Hawley** Tariff Act, intended to protect American workers and farmers from foreign competition. In the subsequent five years, global trade shrank by two-thirds. Within a decade, **World War II** had begun. To be sure, WWII, like World War I, was caused by a multitude of factors; there is no standard path to war. But there is reason to believe that high levels of inequality can play a significant role in stoking conflict. According to research by the economist Thomas Piketty, a spike in income inequality is often followed by a great crisis. Income inequality then declines for a while, before rising again, until a new peak – and a new disaster. Though causality has yet to be proven, given the limited number of data points, this correlation should not be taken lightly, especially with wealth and income inequality at historically high levels. This is **all the more worrying** in view of the **numerous other factors** stoking social unrest and diplomatic tension, including **technological disruption**, a **record-breaking migration crisis**, **anxiety over globalization**, **political polarization**, and **rising nationalism**. All are symptoms of failed policies that could turn out to be **trigger points** for a future crisis. Voters have good reason to be frustrated, but the emotionally appealing populists to whom they are increasingly giving their support are offering ill-advised solutions that will only make matters worse. For example, despite the world’s unprecedented interconnectedness, **multilateralism is increasingly being eschewed**, as countries – most notably, Donald Trump’s US – pursue unilateral, isolationist policies. Meanwhile, **proxy wars** are **raging** in Syria and Yemen. Against this background, we must take seriously the possibility that the next economic crisis could lead to a **large-scale military confrontation**. By the logic of the political scientist Samuel Huntington , considering such a scenario could help us avoid it, because it would force us to take action. In this case, the key will be for policymakers to pursue the structural reforms that they have long promised, while replacing finger-pointing and antagonism with a sensible and respectful global dialogue. The alternative may well be **global conflagration**.

### 1NC – OFF

Consult WHO CP

#### CP: Member nations of the World Trade Organization should enter into a prior and binding consultation with the World Health Organization over reducing intellectual property protections by implementing a one-and-done approach for patent protection. Member nations will support the proposal and adopt the results of consultation.

#### WHO says yes – it supports increasing the availability of generics and limiting TRIPS

Hoen 03 [(Ellen T., researcher at the University Medical Centre at the University of Groningen, The Netherlands who has been listed as one of the 50 most influential people in intellectual property by the journal Managing Intellectual Property, PhD from the University of Groningen) “TRIPS, Pharmaceutical Patents and Access to Essential Medicines: Seattle, Doha and Beyond,” Chicago Journal of International Law, 2003] JL

However, subsequent resolutions of the World Health Assembly have strengthened the WHO’s mandate in the trade arena. In 2001, the World Health Assembly adopted two resolutions in particular that had a bearing on the debate over TRIPS [30]. The resolutions addressed:

– the need to strengthen policies to increase the availability of generic drugs;

– and the need to evaluate the impact of TRIPS on access to drugs, local manufacturing capacity, and the development of new drugs

#### Consultation displays strong leadership, authority, and cohesion among member states which are key to WHO legitimacy

Gostin et al 15 [(Lawrence O., Linda D. & Timothy J. O’Neill Professor of Global Health Law at Georgetown University, Faculty Director of the O’Neill Institute for National & Global Health Law, Director of the World Health Organization Collaborating Center on Public Health Law & Human Rights, JD from Duke University) “The Normative Authority of the World Health Organization,” Georgetown University Law Center, 5/2/2015] JL

Members want the WHO to exert leadership, harmonize disparate activities, and set priorities. Yet they resist intrusions into their sovereignty, and want to exert control. In other words, ‘everyone desires coordination, but no one wants to be coordinated.’ States often ardently defend their geostrategic interests. As the Indonesian virus-sharing episode illustrates, the WHO is pulled between power blocs, with North America and Europe (the primary funders) on one side and emerging economies such as Brazil, China, and India on the other. An inherent tension exists between richer ‘net contributor’ states and poorer ‘net recipient’ states, with the former seeking smaller WHO budgets and the latter larger budgets.

Overall, national politics drive self-interest, with states resisting externally imposed obligations for funding and action. Some political leaders express antipathy to, even distrust of, UN institutions, viewing them as bureaucratic and inefficient. In this political environment, it is unsurprising that members fail to act as shareholders. Ebola placed into stark relief the failure of the international community to increase capacities as required by the IHR. Guinea, Liberia and Sierra Leone had some of the world's weakest health systems, with little capacity to either monitor or respond to the Ebola epidemic.20 This caused enormous suffering in West Africa and placed countries throughout the region e and the world e at risk. Member states should recognize that the health of their citizens depends on strengthening others' capacity. The WHO has a central role in creating systems to facilitate and encourage such cooperation.

The WHO cannot succeed unless members act as shareholders, foregoing a measure of sovereignty for the global common good. It is in all states' interests to have a strong global health leader, safeguarding health security, building health systems, and reducing health inequalities. But that will not happen unless members fund the Organization generously, grant it authority and flexibility, and hold it accountable.

#### WHO is critical to disease prevention – it is the only international institution that can disperse information, standardize global public health, and facilitate public-private cooperation

Murtugudde 20 [(Raghu, professor of atmospheric and oceanic science at the University of Maryland, PhD in mechanical engineering from Columbia University) “Why We Need the World Health Organization Now More Than Ever,” Science, 4/19/2020] JL

WHO continues to play an indispensable role during the current COVID-19 outbreak itself. In November 2018, the US National Academies of Sciences, Engineering and Medicine organised a workshop to explore lessons from past influenza outbreaks and so develop recommendations for pandemic preparedness for 2030. The salient findings serve well to underscore the critical role of WHO for humankind.

The world’s influenza burden has only increased in the last two decades, a period in which there have also been 30 new zoonotic diseases. A warming world with increasing humidity, lost habitats and industrial livestock/poultry farming has many opportunities for pathogens to move from animals and birds to humans. Increasing global connectivity simply catalyses this process, as much as it catalyses economic growth.

WHO coordinates health research, clinical trials, drug safety, vaccine development, surveillance, virus sharing, etc. The importance of WHO’s work on immunisation across the globe, especially with HIV, can hardly be overstated. It has a rich track record of collaborating with private-sector organisations to advance research and development of health solutions and improving their access in the global south.

It discharges its duties while maintaining a dynamic equilibrium between such diverse and powerful forces as national securities, economic interests, human rights and ethics. COVID-19 has highlighted how political calculations can hamper data-sharing and mitigation efforts within and across national borders, and WHO often simply becomes a convenient political scapegoat in such situations.

International Health Regulations, a 2005 agreement between 196 countries to work together for global health security, focuses on detection, assessment and reporting of public health events, and also includes non-pharmaceutical interventions such as travel and trade restrictions. WHO coordinates and helps build capacity to implement IHR.

#### WHO diplomacy solves great power conflict

Murphy 20 [(Chris, U.S. senator from Connecticut serving on the U.S. Senate Foreign Relations Committee) “The Answer is to Empower, Not Attack, the World Health Organization,” War on the Rocks, 4/21/2020] JL

The World Health Organization is critical to stopping disease outbreaks and strengthening public health systems in developing countries, where COVID-19 is starting to appear. Yemen announced its first infection earlier this month, and other countries in Africa, Asia and the Middle East are at severe risk. Millions of refugees rely on the World Health Organization for their health care, and millions of children rely on the WHO and UNICEF to access vaccines.

The World Health Organization is not perfect, but its team of doctors and public health experts have had major successes. Their most impressive claim to fame is the eradication of smallpox – no small feat. More recently, the World Health Organization has led an effort to rid the world of two of the three strains of polio, and they are close to completing the trifecta.

These investments are not just the right thing to do; they benefit the United States. Improving health outcomes abroad provides greater political and economic stability, increasing demand for U.S. exports. And, as we are all learning now, it is in America’s national security interest for countries to effectively detect and respond to potential pandemics before they reach our shores.

As the United States looks to develop a new global system of pandemic prevention, there is absolutely no way to do that job without the World Health Organization. Uniquely, it puts traditional adversaries – like Russia and the United States, India and Pakistan, or Iran and Saudi Arabia – all around the same big table to take on global health challenges. It has relationships with the public health leaders of every nation, decades of experience in tackling viruses and diseases, and the ability to bring countries together to tackle big projects. This ability to bridge divides and work across borders cannot be torn down and recreated – not in today’s environment of major power competition – and so there is simply no way to build an effective international anti-pandemic infrastructure without the World Health Organization at the center.

#### Should means must and is immediate

Summers 94 (Justice – Oklahoma Supreme Court, “Kelsey v. Dollarsaver Food Warehouse of Durant”, 1994 OK 123, 11-8, http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13)

¶4 The legal question to be resolved by the court is whether the word "should"[13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13) in the May 18 order connotes futurity or may be deemed a ruling in praesenti.[14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn14) The answer to this query is not to be divined from rules of grammar;[15](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn15) it must be governed by the age-old practice culture of legal professionals and its immemorial language usage. To determine if the omission (from the critical May 18 entry) of the turgid phrase, "and the same hereby is", (1) makes it an in futuro ruling - i.e., an expression of what the judge will or would do at a later stage - or (2) constitutes an in in praesenti resolution of a disputed law issue, the trial judge's intent must be garnered from the four corners of the entire record.[16](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn16) [CONTINUES – TO FOOTNOTE] [13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn13) "*Should*" not only is used as a "present indicative" synonymous with *ought* but also is the past tense of "shall" with various shades of meaning not always easy to analyze. See 57 C.J. Shall § 9, Judgments § 121 (1932). O. JESPERSEN, GROWTH AND STRUCTURE OF THE ENGLISH LANGUAGE (1984); St. Louis & S.F.R. Co. v. Brown, 45 Okl. 143, 144 P. 1075, 1080-81 (1914). For a more detailed explanation, see the Partridge quotation infra note 15. Certain contexts mandate a construction of the term "should" as more than merely indicating preference or desirability. Brown, supra at 1080-81 (jury instructions stating that jurors "should" reduce the amount of damages in proportion to the amount of contributory negligence of the plaintiff was held to imply an *obligation* *and to be more than advisory*); Carrigan v. California Horse Racing Board, 60 Wash. App. 79, [802 P.2d 813](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=802&box2=P.2D&box3=813) (1990) (one of the Rules of Appellate Procedure requiring that a party "should devote a section of the brief to the request for the fee or expenses" was interpreted to mean that a party is under an *obligation* to include the requested segment); State v. Rack, 318 S.W.2d 211, 215 (Mo. 1958) ("should" would mean the same as "shall" or "must" when used in an instruction to the jury which tells the triers they "should disregard false testimony"). [14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn14) In praesenti means literally "at the present time." BLACK'S LAW DICTIONARY 792 (6th Ed. 1990). In legal parlance the phrase denotes that which in law is presently or immediately effective, as opposed to something that will or would become effective in the future *[in futurol*]. See Van Wyck v. Knevals, [106 U.S. 360](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=106&box2=U.S.&box3=360), 365, 1 S.Ct. 336, 337, 27 L.Ed. 201 (1882).

### 1NC - OFF

Disease CP

#### CP Text: The member nations of the World Trade Organization should expand its surveillance of disease outbreaks and emerging vectors and require rapid response at appropriate sites.

#### The CP solves disease spread.

Hoppin 12 (Margaret Hoppin, 2012, J.D., New York University School of Law, “NOTE: OVERLY INTIMATE SURVEILLANCE: WHY EMERGENT PUBLIC HEALTH SURVEILLANCE PROGRAMS DESERVE STRICT SCRUTINY UNDER THE FOURTEENTH AMENDMENT”, 87 N.Y.U.L. Rev. 1950, Lexis)

Public Health Surveillance A. Modern Public Health Surveillance The history of public health surveillance and public health interventions is both fascinating and complicated: A full account is far beyond the scope of this paper. n11 However, two observations based on that history frame my argument. First, the basic features of modern public health surveillance are not new; they were developed as responses to serious contagious disease. Second, public health surveillance in the United States has, in general, enabled interventions which - criticisms aside - have effectively addressed the public health crises they targeted. n12 To give just one example, the surveillance and interventions conducted using New York City's nineteenth-century tuberculosis registry prevented the spread of tuberculosis. n13 The program was accompanied by an impressive array of free services that helped to prevent and treat the disease. City and charitable organizations disinfected homes after a tubercular patient had moved or died, treated patients in facilities established across the City, created open-air programs for children and adults, and provided financial and logistical aid to tubercular patients. n14 Other municipalities offered similar services to patients. n15 [\*1955] While public health surveillance has undergone radical changes n16 - with technological developments, epidemiologic shifts, and the rapid expansion and coordination of public health surveillance activities transforming a disparate collection of municipalities, each battling contagion, into a sophisticated, coordinated, and pervasive public health apparatus - the purpose remains the same: to collect and compile information about sick people over time, and then use that information to protect the public health. A cursory review of government public health activities since the late medieval period demonstrates that "throughout history, governments have performed their public health role by ... taking steps to prevent the spread of epidemics." n17 Mandatory quarantine programs - "features of most port towns" in colonial America - provide a dramatic example of surveillance-based public health interventions. n18 The relevant point is that surveiling individuals to protect the public health is anything but new. Indeed, the New York City Department of Health and Mental Hygiene intentionally modeled the A1C Registry - the paradigm of emergent public health surveillance - upon nineteenth-century surveillance and intervention programs that targeted tuberculosis. n19 The innovations - and the problems - at the heart of emergent programs are that they target individuals who pose no health risk to others, and they employ technology that enables surveillance that is virtually unlimited in scope.