# 1NC vs Oxford VM

## OFF

### 1NC - OFF

T-member nations

#### Interpretation: Affirmatives may not defend a subset of World Trade Organization members ought to reduce intellectual property protections for medicines.

#### "The member nations" denotes the totality of member nations in the WTO.

Sharvy 80 [Richard Sharvy, philosopher. "A More General Theory of Definite Descriptions on JSTOR," The Philosophical Review, Vol. 89, No. 4, Oct. 1980, accessed 8-22-2021, https://www.jstor.org/stable/2184738] HWIC

3. Definite Plural Descriptions. Phrases like 'the sheep in New Zealand' and 'the people in Auckland' are also ordinary and common definite descriptions, and they do denote. But because their contained predicates are plural predicates like 'are people in Auckland', which apply to more than one object, such expressions are not subject to a Russellian analysis. There is no such thing as (ax \* x are people in Auckland), since a number of distinct items satisfy the predicate-the men in Auckland are people in Auckland, and so are the women in Auckland and the children in Auckland. The definite plural description 'the people in Auckland' designates the sum or totality of all the people in Auckland. This is the sum of all that to which the predicate 'are people in Auckland' applies: the sum of all the items such as the women in Auckland, the children in Auckland, etc., that satisfy the plural predicate 'are people in Auckland'. What sort of entity is the denotation of a definite plural description such as 'the children in Auckland'? A first attempt might be to say that such expressions denote sets or classes. Then a sum of such items would be the union of such classes. Russell would insist on calling the people in Auckland a "class as many" (1903, pp. 68-72, 76-77). But if the predicate 'are people in Auckland' is taken to apply to x just if x is a set of people in Auckland,5 then the definite plural description 'the people in Auckland' refers to the union of these sets: U {x: x is a set of people in Auckland). So let us first consider set-theoretic union as a candidate for the sort of sum needed here in the analysis of definite plural descriptions. This might seem more complicated than '{x: x is a person in Auckland)', which refers to the same class. But the former expression has the advantage of preserving the predicate as a plural predicate, as it appeared in the original definite plural description. A standard definition of union is U a = {x: (ay) (x ecy .y E a)) (cf. Quine 1963, p. 53). In my notation this would be written: Ua = {x:xe(Qy yEa)) -the x's that are a member of some member of a. Quine observes 5I do not say 'nonempty' simply because it would be redundant: no class of people is empty. I do include the singletons, so that {Sharvy} are people in Auckland. This might seem odd. However, the instances or instantiations of 'all men are mortal' include sentences like 'Sharvy is mortal' along with sentences like 'the men in Auckland are mortal'; thus, the plural does include the singular. Notice that 'all men are mortal' should be symbolized '(x) (x are men D x are mortal)'; logic students are generally wrongly taught to write '(x) (x is a man D x is mortal)', which is more properly a symbolization of 'every man is mortal', which has the singular subject 'every man'. 616 This content downloaded from 92.63.104.30 on Sat, 28 Jun 2014 13:35:30 PM All use subject to JSTOR Terms and Conditions DEFINITE DESCRIPTIONS that if everything is a class, this definition implies that the union U {x} of a singleton is its member x; this effect is preserved for an apparent nonclass by identifying it with its own unit class. So with this convention, if G applies to exactly one object, then U {x: Gx} = ( 7x . Gx ). So the Russellian definite singular description again emerges, here as a species of definite plural description.6 This would occur with, e.g., 'the men in this room' if there were exactly one man in the room. Notice also that plural predicates, like mass predicates, are cumulative: any sum of parts which are cats are cats. So 'G(the G)' holds for any instantiated plural predicate when 'the G' is defined as such a sum: the men in Auckland are men in Auckland, the poor are poor, etc. The analysis of definite plural description as union is not entirely satisfactory. One reason is that it explicitly uses the mechanism of class abstraction and the membership relation in a way that requires that such definite plural descriptions do denote classes. Now there is no problem about what 'the people in Auckland' denotes: it denotes the people in Auckland. Whether the people in Auckland are a set or class is an ontological question that should be discussed elsewhere. (Indeed, ontological questions generally should be independent of a theory of descriptions: we should be able to explain phrases like 'the first symphony of Beethoven' without discussing the ontological nature of symphonies.) My aim here is simply to explain plural definite descriptions like 'the people in Auckland' in a way that remains neutral on that ontological question by avoiding explicitly settheoretic notions. Another reason to turn away from the above analysis of 'the C as 'U {x: Gx}' is that it lacks generality. It lets in too much 6 I thank W. V. Quine for calling my attention to this passage. 'one object' means 'one class'. Consider the predicate 'are men and women in this room', and suppose the room contains just one man, m, and one woman, w. Then only one object, {m,w} satisfies that predicate, and U {a: a are men and women in this room) = U {{m,w}} = {m,w} = (7a a are men and women in this room). See note 8 also. Consider the definite description 'the square root of 2'. This is ordinarily used to refer to the positive square root of 2. My theory explains this; if real numbers are defined in the usual way as lower cuts of rationals (cf. Russell 1903, ch. 33), the positive root is the union of the negative and positive roots. 617 This content downloaded from 92.63.104.30 on Sat, 28 Jun 2014 13:35:30 PM All use subject to JSTOR Terms and Conditions RICHARD SHARVY when applied to a singular definite description whose contained predicate applies to more than one object: 'the author of PM' would denote {Whitehead, Russell). This was Frege's convention (?1 1), but it is clearly artificial; 'the author of PM' should fail to denote. And finally, 'U {x: Gx)' just doesn't look enough like the analysis given earlier of definite mass descriptions. Mass terms and plural terms are alike in numerous ways, and it would be nice if their uses in forming definite descriptions had analyses that reflected this similarity. Specifically, we should express summation without using the membership relation e, which has no analogue in the semantics of mass terms. The solution is to observe that there is a part of relation available: the men in Auckland are part of the people in Auckland. (This relation looks very much like the relation of being a nonempty subset of.) Writing it as '<', we may then define 'the G' for plural predicates as (4) above: sm G that all G are part of. The requirement in (4) that x satisfy G is useful for distinguishing the definite plural description 'the authors of PM' from the definite singular description 'the author of PM'. The former denotes Whitehead and Russell, as it should.7 Without the requirementhat x satisfy G, using (1) or simply union, so would the latter. But although Whitehead and Russell are authors of PM, they are not an author of PM. That requirement also leads to the intuitively correct results for expressions like 'the Wilmington Ten' and 'the five men in this room'. If there are only four men in this toom, the description 'the five men in this room' fails to denote because the predicate 'are five men in this room' applies to nothing. If there are six men in this room, then that description also fails to denote-not because that predicate applies to more than one item (i.e., to every part of the six containing just five men), but because it fails to apply to their sum. A word of caution about part is needed here. I am taking it in what I think is its plain and ordinary sense. However, Goodman, Quine, and other writers on the theory of parts (mereology) have used it in an extended sense which is not appropriate here. 7 But it does not denote Whitehead, and it does not denote Russell. The property of being denoted by an expression is not dissective. I may refer to something without referring to each of its parts. 618 This content downloaded from 92.63.104.30 on Sat, 28 Jun 2014 13:35:30 PM All use subject to JSTOR Terms and Conditions DEFINITE DESCRIPTIONS The difference is that these writers combine mereology with a kind of materialism. (An exception is Foradori.) Thus Quine writes, "there are parts of water, sugar, and furniture too small to count as water, sugar, furniture" (1960, p. 99). Here, by 'parts of furniture' he means something like 'spatiotemporally determined parts of the material constituting the world's furniture'; by 'parts of water' he means 'spatiotemporally determined parts of the world's water'. However, in the ordinary sense of 'part', the parts of water are hydrogen and oxygen. In the ordinary sense of part, shrimp is a part of shrimp salad. Here, the words 'shrimp' and 'shrimp salad' refer to types or kinds, and not to the world's shrimp and the world's shrimp salad. Indeed, the world's shrimp is not part of the world's shrimp salad. Now, my furniture is part of the world's furniture, and the chair in my billiard room is part of my furniture. But is a leg of that chair part of my furniture? I doubt it. In a distinguishable sense of 'part', a leg of my chair is a part of that chair and a part of my furniture. In the plural of that same sense, the legs are parts of my furniture. But those legs are not part of my furniture. The matter of the legs is part of the matter of the furniture; also, the chairs in my billiard room are part of my furniture. But the legs of the chairs are not part of the furniture. The men in Auckland are part of the men and women in Auckland, but the arms of the men in Auckland are not part of the men and women in Auckland. The explanation is not that the arms fail to satisfy the contained predicate 'are men and women in Auckland', for the men in Auckland also fail to be men and women in Auckland. Rather, the explanation is that x are part of y in this ordinary sense just if x are some ofy. Notice the difference between 'some' and 'some of. It's true that some of the men and women in Auckland are men, but false that some men and women in Auckland are men. It's true that some of the whiskey-and-water inmy glass is water, but false that some whiskey-and-water inmy glass is water. 'part of' and 'some of' seem to be synonymous here; examples like these occur with mass and plural predicates that are not dissective. The legs of my chair are not part of my furniture, because 619 This content downloaded from 92.63.104.30 on Sat, 28 Jun 2014 13:35:30 PM All use subject to JSTOR Terms and Conditions RICHARD SHARVY it's false that they are some of my furniture. Given our understanding of 'part' then, being furniture and being men in Auckland are dissective properties; it is compounds like 'are men and women' that fail to be dissective. So only articles of furniture count as part of my furniture. It is a totally distinct feature of Goodman's system that causes his notion of 'part' to be broader than mine, so that, e.g., the chair legs are also part of my furniture. That feature is a sort of materialism. The set of my tables # the set of my table tops and legs; but the matter of my tables = the matter of my tops and legs. If we remove this materialism from mereology, we have a purer theory of part and whole, and consequently of sum. The mereological sum, then, of my articles of furniture is my furniture, and not the matter of my furniture. With this ordinary and intended sense of 'part', then, the expressions 'the counties of Utah' and 'the townships of Utah' will have distinct denotations, as they should. Without the distinction made above, they might appear to collapse into the same object, since the territory occupied by the counties is identical to that occupied by the townships; (px) (x is territory of (b.y) (y are counties, etc.) ) = etc. What sort of entity is denoted by the definite plural description 'the men in Auckland'? This question contains the mistaken implication that this phrase denotes a single entity. But the phrase 'the men in Auckland' obviously denotes the men in Auckland. One might ask, "What sort of entities are those?" But the answer is easy: they are entities that eat, drink, sleep, and are numerous. The error to avoid is an insistence on the singular. 'the men in Auckland' is not a singular term-it is a plural term. This should hardly need to be said. But some writers have gone astray by failing to see that plurals are plural, and so insisting that they must denote something singular. For example, Richard E. Grandy says that in the sentence 'Lions are widespread', " 'lions' must be a singular [sic] term denoting the class of lions" (p. 297). Given this, it will follow that a certain class is widespread (which does not seem as odd to me as it might to many). But what seems odd is that Grandy claims that it does not follow from his statement that any class is widespread; apparently 620 This content downloaded from 92.63.104.30 on Sat, 28 Jun 2014 13:35:30 PM All use subject to JSTOR Terms and Conditions DEFINITE DESCRIPTIONS he prefers to give up the indiscernibility of identicals rather than the dogma that classes are "abstract." Now the words 'set' and 'class' have uses as dummy nominal measure words whose only function is the syntactic one of turning a plural into an apparent singular: the rational numbers are countable -- the set of rational numbers is countable. But no semantic consequences follow from such a use of the words 'set' and 'class'. The rational numbers are the set of rational numbers; the set of rational numbers is the rational numbers. The people in this room weigh 1000 kilograms; the set of people in this room weighs 1000 kg. The men in this room are not abstract; the set of men in this room is not abstract. We can avoid Grandy's contortions simply by taking the plural seriously as a plural, and abandoning the fetish for the singular that pervades contemporary decadent Western ontology. Along these same lines we can affirm that (i) 'the world's lions are widespread' and (ii) 'the world's lions are mammalian' do have the same logical form. In particular, the form of (ii) is 'Ml' and not '(x)(Lx D Mx)'; this is clear for (i). Question: how, then, does (ii), along with 'Aslan is a lion' imply 'Aslan is mammalian'? Answer: the implication is not a formal one at all, but depends on the fact that 'are mammalian' is dissective; 'are widespread' is not dissective. This situation is quite familiar: 'Ben weighs less than 60 kg' and 'Ben's nose is part of Ben' imply 'Ben's nose weighs less than 60 kg'. But again, the implication is not formal-it is not due to the logical form of these statements (this is easily seen by putting 'more' for 'less'). Rather, the implication holds because 'weighs less than 60 kg' is dissective. 4. Conclusion. For any given predicate G there is an appropriate part of or some of relation ? on the extension of G.8 Notice that 8The structure <{x: Gx},?) is often a mereology, i.e., a model of the so-called calculus of individuals. But it may fail to be a mereology. Idefine a quasi-mereology to be any structure (S, ?) where ? partially orders S (reflexive, transitive, antisymmetric), and where the <-least upper bound of a is a member of S for every nonempty subset a of S. One interesting type of quasi-mereology results from taking the algebraic direct product of two 621 This content downloaded from 92.63.104.30 on Sat, 28 Jun 2014 13:35:30 PM All use subject to JSTOR Terms and Conditions RICHARD SHARVY for most singular count predicates, < is just the identity relation: for 'is a shoe I own' < is the identity relation, for the extension of that predicate contains no two objects of which either is part of the other. Regardless of how many shoes I own, x - y only if x = y, for every x and y in that domain. In all such cases, '( px Gx )' defined as (4) comes out as desired, designating the gold in Zurich or the men in Auckland; and if I own just one shoe, '( pxS x is a shoe I own)' designates it, but otherwise that description fails. The analysis of 'the G' as (4) is therefore a general theory of definite descriptions, of which definite mass descriptions, definite plural descriptions, and Russellian definite singular count descriptions are species.9 full mereologies. (This description of the situation is due to Mark Nixon.) For example, (M, ) X <W. 5), where M is the set of sets of men and W is the set of sets of women, is isomorphic to (MW, 5), where MW is the set of sets of men and women, i.e., of sets containing at least one man and one woman. (MW, C ) is simply the corresponding quasi-mereology of the predicate 'are men and women'; this predicate is satisfied by the people in Auckland (they are men and women), but not by the men in Auckland. The structure fails to be a mereology because it is not properly closed under subtraction: there are sets a, b, each of which are men and women, and where a - b is not null yet fails to be men and women; a - b might just be men. However, we can combine the mereologies (M, C) and <W, 5) so that a mereology results. Add the null element to each, take the direct product, and then remove the null element: ((M U {4}, 5) X (W U {4}, 5))- ((4,4), 5). This is isomorphic to the mereology corresponding to the predicate 'are adults', i.e., to the set of nonempty subsets of the set of all men and women, under subset: V(P(U (M U W)) - {4}, C). 9 We have an account of the generic 'the' along these same lines. The New Zealand Flag is a New Zealand flag to which every New Zealand flag bears a certain relation ?. This seems a little more natural if we add the syllables 'akes' or 'icipates' to the word 'part' in reading '<' here: the New Zealand Flag is that New Zealand flag in which every New Zealand flag participates. The fact that it participates in itself does not lead to a "third man" regress, because participation in, as a variant of the part of relation, is not used to explain predication; predication remains primary. Of course, nothing in my discussion requires that there be such an entity (nor does anything here count against it). My theory is quite neutral. If there is such an entity, '( px x is a New Zealand flag)' picks it out. If there is no such entity, but merely a number of flags none of which bears ? to anything but itself, then ? is coextensive with the identity relation on those flags, and the situation is the same as for 'my shoe'. John Bacon, however, claims 622 This content downloaded from 92.63.104.30 on Sat, 28 Jun 2014 13:35:30 PM All use subject to JSTOR Terms and Conditions DEFINITE DESCRIPTIONS With this analysis and some thought about examples of definite mass descriptions and definite plural descriptions, we see that the primary use of 'the' is not to indicate uniqueness. Rather, it is to indicate totality; implication of uniqueness is a side effect.

#### Semantic tests determine whether statements are generic or existential –

**Leslie and Lerner 16** [Sarah-Jane Leslie (Ph.D., Princeton, 2007) is the dean of the Graduate School and Class of 1943 Professor of Philosophy. She has previously served as the vice dean for faculty development in the Office of the Dean of the Faculty, director of the Program in Linguistics, and founding director of the Program in Cognitive Science at Princeton University. She is also affiliated faculty in the Department of Psychology, the University Center for Human Values, the Program in Gender and Sexuality Studies, and the Kahneman-Treisman Center for Behavioral Science and Public Policy], and Adam Lerner, Ph.D, Postgraduate Research Associate in the Department of Philosophy at Princeton University, 4-24-2016, accessed 9-4-2021, "Generic Generalizations (Stanford Encyclopedia of Philosophy)," <https://plato.stanford.edu/entries/generics/>] HWIC

There are some tests that are helpful in distinguishing these two readings. For example, the existential interpretation is upward entailing, meaning that the statement will always remain true if we replace the subject term with a more inclusive term. Consider our examples above. In ([1b](https://plato.stanford.edu/entries/generics/#ex1b)), we can replace “tiger” with “animal” salva veritate, but in ([1a](https://plato.stanford.edu/entries/generics/#ex1a)) we cannot. If “tigers are on the lawn” is true, then “animals are on the lawn” must be true. However, “tigers are striped” is true, yet “animals are striped” is false. ([1a](https://plato.stanford.edu/entries/generics/#ex1a)) does not entail that animals are striped, but ([1b](https://plato.stanford.edu/entries/generics/#ex1b)) entails that animals are on the front lawn (Lawler 1973; Laca 1990; Krifka et al. 1995).

Another test concerns whether we can insert an adverb of quantification with minimal change of meaning (Krifka et al. 1995). For example, inserting “usually” in the sentences in ([1a](https://plato.stanford.edu/entries/generics/#ex1a)) (e.g., “tigers are usually striped”) produces only a small change in meaning, while inserting “usually” in ([1b](https://plato.stanford.edu/entries/generics/#ex1b)) dramatically alters the meaning of the sentence (e.g., “tigers are usually on the front lawn”). (For generics such as “mosquitoes carry malaria”, the adverb “sometimes” is perhaps better used than “usually” to mark off the generic reading.)

#### The resolution is generic: 1] "nations ought to reduce IPP for medicines" doesn't imply political bodies ought to b/c there might not be an obligation for terrorist groups or the UN 2] "nations generally ought to reduce IPP for medicines" doesn't substantially change the meaning

#### Standards:

#### Semantics --- anything other than strict adherence to the resolution means they can arbitrarily jettison any word in the resolution which kills topic stasis. Semantics outweighs pragmatics A) All pragmatic arguments concede the authority of semantics in order to convey pragmatic messages B) Key to predictability- the topic is the only thing that we have beforehand. Explodes neg prep burden and outweighs every other pragmatic consideration C) Jurisdiction – it’s not in the judge’s jurisdiction to vote for an illegitimate aff. Independent voter -- even if they prove pragmatics they lose for not defending the resolution.

#### Limits --- they can specify anything from Burudni to China to the US --- there’s no unifying generics since each country has different geopolitical nuances. That explodes NEG prep and leads to random country of the week AFFs, which makes cutting stable links for DAs or CP competition impossible.

#### TVA --- read the AFF as an advantage to a whole rez AFF --- the only reason to specify is to cut out NEG ground

#### 4) No PICs offense -- potential abuse doesn’t justify actual abuse

**D] Paradigm Issues –**

**1] T is DTD – A] their abusive advocacy skewed the debate from the start B] DTA is incoherent because we indict their advocacy**

**2] Comes before 1AR theory -- A] If we had to be abusive it’s because it was impossible to engage their aff B] T outweighs on scope because their abuse affected every speech that came after the 1AC C] Topic norms outweigh on urgency – we only have a few months to set them**

**3] Use competing interps on T – A] topicality is a yes/no question, you can’t be reasonably topical B] only our interp sets norms -- reasonability is arbitrary and invites judge intervention C] reasonability causes a race to the bottom of questionable argumentation**

**4] No RVIs – A] Forcing the 1NC to go all in on the shell kills substance education and neg strat B] discourages checking real abuse C] Encourages baiting – outweighs because if the shell is frivolous, they can beat it quickly**

### 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

Advantage CP

#### CP Text: The United States federal government should expand its surveillance of disease outbreaks and emerging vectors and require rapid response at appropriate sites.

#### The World Trade Organization should:

#### Implement plurilateral negotiations

#### Increase transparency

#### Streamline least developed country status.

Schneider-Petsinger 20 [Marianne Schneider-Petsinger is a senior research fellow at Chatham House. “Reforming the World Trade Organization: Prospects for Transatlantic Cooperation and the Global Trade System.” September 11, 2020. https://www.chathamhouse.org/2020/09/reforming-world-trade-organization/06-institutional-issues-and-reform]

A plurilateral approach – the way forward As a result of the failure to drive forward comprehensive multilateral negotiations, plurilateral negotiations – which involve subsets of WTO members and often focus on a particular sector – have become popular. But this approach is not new. Indeed, two of the plurilateral agreements currently in force go back to the early 1980s (see Box 1). By negotiating only on specific issues with a limited number of willing participants, plurilateral negotiations can produce agreements more quickly than the multilateral process. They reduce the risk of ‘hostage-taking’ by countries seeking to press particular agendas. And like free-trade agreements, plurilateral agreements can pave the way for the expansion of rules into new areas. Plurilateral agreements, however, are no panacea. They require forming and maintaining coalitions among like-minded countries. They still require divisions to be overcome – particularly between developed and developing countries – and trade-offs to be made. Issues also arise from the relationship between participants and non-participants, depending on the design of a given plurilateral agreement. There are two ways to negotiate plurilateral agreements among WTO members. First, there are open plurilateral agreements that grant unconditional MFN treatment – meaning that the benefits of an agreement are extended to all other WTO members on an MFN basis. However, this can create a ‘free-riding’ problem as non-participants receive benefits even though they do not commit to the trade liberalization measures in question. To prevent free-riding, the number of participants needs to reach a critical mass, generally understood to correspond to 90 per cent of world trade in the sector or product being covered by the plurilateral agreement.72 For instance, in the negotiations for a proposed Environmental Goods Agreement (EGA), 46 WTO members sought to eliminate tariffs on a number of environment-related products and would have extended the benefits of the agreement to the entire WTO membership (see Box 1). While this would have been welcome from an environmental perspective, the open nature of the agreement contributed to the demise of the negotiations. In particular, China raised concerns both over the full liberalization of trade in certain sensitive goods and over the issue of free-riding – ultimately, these factors contributed to the failure of the EGA negotiations.73 In the recently launched e-commerce negotiations (Box 1), the fact that India is choosing not to participate in the talks raises questions about the legitimacy of trade agreements that do not include large emerging economies. Parties: currently 84 WTO members (coordinated by Australia, Japan and Singapore; includes the US, the EU and China); notably, India and South Africa have not joined negotiations, arguing that WTO members should be working on completing the 1998 WTO Work Programme on Electronic Commerce instead. The second way to negotiate plurilateral agreements is via a ‘club approach’, whereby the participants extend the benefits only to other participants rather than to all WTO members. This type of agreement is known as a ‘conditional MFN’ plurilateral.74 Conditional MFN plurilaterals create the risk of policy fragmentation, as different arrangements between signatories and non-signatories can lead to divergence in the trading rules that apply. To complicate matters further, some plurilateral initiatives among WTO members take place outside the WTO framework. For instance, negotiations for the Trade in Services Agreement (TiSA) were launched in 2013 between 23 WTO members, including the EU and the US. Together, these parties account for 70 per cent of global trade in services. The TiSA talks are based on the WTO’s General Agreement on Trade in Services (GATS), and in theory are open to other WTO members. But in practice, participation is more complex. While China has asked to join the negotiations, its request has not been accepted because the negotiating parties have lacked political unanimity on the issue. Brazil, India and South Africa are also notably absent from the negotiations. The TiSA had been intended to become multilateral in the future, and to be turned into a broader WTO agreement. However, negotiations have been on hold since November 2016. The current US administration has not adopted an official position on the future of the EGA and TiSA negotiations. The fact that the US has not withdrawn from either project leaves open the prospect that the US will re-engage – though it is unlikely to do so in the current environment. A more hopeful sign is that the US is actively supporting the recently launched e-commerce negotiations. The EU has called for ‘flexible multilateralism’ in the WTO – supporting full multilateral negotiations where possible, while actively supporting and pursuing negotiations for open plurilateral agreements in areas where multilateral consensus is not possible.75 The European Commission under President Ursula von der Leyen hopes to ‘give further impetus to WTO negotiations on e-commerce’.76 Phil Hogan, the former EU trade commissioner, has also called for ‘mechanisms to facilitate the integration of plurilateral approaches in the WTO framework’.77 In sum, it seems that the way forward will be with plurilateral agreements. The current e-commerce negotiations demonstrate that the WTO increasingly provides a forum capable of covering limited sectors and – at least initially – of accommodating coalitions of countries that share similar goals and a desire to expand trading rules into new areas. Creating such rules is particularly important for areas where WTO disciplines do not exist – for instance, investment (see Chapter 8). As long as plurilateral agreements are structured in an open way that allows for expanded membership later on, they will not replace multilateral agreements, but rather can complement them and support global trade governance overall. To improve its effectiveness and legitimacy, the WTO needs to raise member compliance with notification requirements – and above all rethink ‘special and differential treatment’ of developing countries. As previously mentioned, some of the structural and long-standing challenges for WTO governance have concerned the principles of consensus and a single undertaking. The move towards bilateral, regional and plurilateral agreements has offered ways to circumvent those challenges. More recently, the US and others have raised concerns regarding institutional issues in two other areas: (1) transparency and notification; and (2) developing- country status. Transparency and notification One of the principal functions of the WTO, in addition to providing a forum for trade negotiations and for the settlement of disputes, is to monitor and implement agreements. In order to do this, the various WTO agreements contain transparency and notification requirements. However, compliance has been chronically low and late.78 In particular, the failure by many members to notify their trading partners (via the WTO) of subsidies has been a serious systemic problem for years. This lack of compliance not only undermines trust in the rules-based international trading system; it also has implications for future negotiations, as it becomes difficult to agree new rules and disciplines when there is uncertainty around compliance with existing ones. To address these concerns, the Trump administration first issued a proposal on enhanced transparency in 2017.79 In November 2018 the US, together with four other WTO members (including the EU), submitted an updated and more comprehensive proposal on enhancing transparency and strengthening notification requirements.80 That updated proposal sets out a multi-pronged approach, including incentives for compliance and penalties for non-compliance. Among the key ideas are the following: WTO members experiencing difficulties in fulfilling their notification obligations are encouraged to request technical assistance and support for capacity-building. Measures to name and shame non-compliant WTO members should be introduced. Depending on the length of the notification delay, the suggested penalties range from the offending party being required to offer an explanation for the delay to being designated an inactive member of the WTO. Members are encouraged to provide counter-notifications (i.e. contesting the accuracy of another WTO member’s notification). While the proposal takes into account the challenges that developing countries face in meeting transparency and notification requirements, it has been criticized for not adequately addressing capacity constraints and for its punitive dimension.81 The current focus on addressing the historically lax compliance with transparency and notification requirements is a very welcome step, as are the joint efforts by some WTO members. The US is actively engaged in this important area, with developments to date illustrating that members have not given up on the WTO. Developing-country status The second – and thornier – structural issue is that of developing-country status. There is no agreed definition of what constitutes a developing country at the WTO; countries can self-declare their status.82 Because developing countries receive so-called ‘special and differential treatment’ – consisting of more favourable terms or extra time to fulfil their commitments – it is not surprising that approximately two-thirds of WTO members claim developing-country status.83 While the status and special treatment are warranted for some countries, it is questionable whether some of the world’s largest economies legitimately qualify as developing countries. The fact that eight of the G20 countries84 – including China and India – currently claim developing-country status at the WTO is a major point of contention. Brazil and South Korea (as well as non-G20 members Singapore and Taiwan) announced in 2019 that they would no longer seek the special and differential treatment reserved for developing countries at the WTO.85 The effectiveness of special and differential treatment in supporting developing countries to trade and grow economically has been called into question.86 It is not clear that simply giving WTO countries a pass on some of their obligations is in fact helping them. Because developing countries receive so-called ‘special and differential treatment’ – consisting of more favourable terms or extra time to fulfil their commitments – it is not surprising that approximately two-thirds of WTO members claim developing-country status. The status and treatment of developing countries at the WTO have been controversial for years – with both the US and the EU raising concerns. According to the EU, ‘the demand for blanket flexibilities for two thirds of the WTO membership dilutes the call from those countries that have evident needs for development assistance, leads to much weaker ambition in negotiations and is used as a tool to block progress in, or even at the beginning of, negotiations’.87 Under President Obama, the US did not accept China’s claim to developing-country status. But under the Trump administration, the US has for the first time taken concrete steps to address the issue more broadly. In July 2019, the administration issued a memorandum ‘toward changing the WTO approach to developing-country status such that advanced economies can no longer avail themselves of unwarranted benefits despite abundant evidence of economic strength’.88 The Trump administration established a 90-day ultimatum for any country that improperly declares itself a developing country to drop the status or face adverse consequences. The memorandum also instructs the US Trade Representative to ‘publish on its website a list of all self-declared developing countries that USTR believes no longer deserve such treatment for purposes of WTO rules and negotiations’.89 It remains to be seen how this will be implemented. The US has also proposed four categories of WTO member that should forgo special and differential treatment in current and future negotiations:90 A member of (or a country that has begun the accession process to) the Organisation for Economic Co-operation and Development (OECD); A member of the G20; A WTO member that is classified as a ‘high-income’ country by the World Bank; or A WTO member that accounts for no less than 0.5 per cent of global merchandise trade. More than 30 countries would fall into at least one of these categories.91 Many countries currently claiming developing-country status reject the US proposal. Led by China and India, a group of countries has defended the self-declaration of developing-country status as ‘a fundamental rule in the WTO, [that] has proven to be the most appropriate classification approach to the WTO’.92 They also stress that ‘per capita indicators must be given the top priority when assessing the development level of a country’.93 While clear and objective benchmarks would be a step in the right direction to limit WTO members’ excessive use of self-declared developing-country status, the US proposal has shortcomings. The G20 – a grouping whose own legitimacy has come under criticism for its arbitrary membership – does not serve as a helpful reference point for establishing development status within the WTO. Using a country’s share of global trade as a yardstick is also flawed because being a major importer or exporter can reflect the size of a country’s population as much as its level of development. Given how contentious the issue of developing-country status is, combined with the difficulty of establishing and agreeing a set of criteria, a better path forward would be to create more flexibility in the system. Among the steps that could be taken are: Encouraging ‘graduation’. WTO members could decide to follow the examples of Brazil, Singapore, South Korea and Taiwan in forgoing special and differential treatment. However, this approach will only be amenable to a limited number of WTO members. It is unlikely that most developing countries will give up their status, or the benefits of special and differential treatment. China, for instance, has made it very clear that it will not relinquish its developing-country status.94 Determining status on a case-by-case basis. Instead of an across-the-board approach, a slimmer version could consist of WTO members graduating to developed-country status using an agreement-by-agreement approach. The implementation of the WTO’s Trade Facilitation Agreement could serve as a useful blueprint. Increasing the use of plurilateral agreements. This could provide additional flexibility. Because the relevant commitments would only apply to countries ready to join a given plurilateral coalition, the negotiation format could accommodate differences between WTO members without relying on definitional criteria.95 Individualizing commitments. Finally, drawing inspiration from the Paris Agreement on climate change, WTO members could consider an approach based on individualized implementation schedules and practicable commitments.96 These steps would not only improve the credibility of the WTO, but would also help to further integrate developing countries into the global trading system.

#### 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.