### OFF

#### Interpretation: The affirmative must be topical.

#### “Resolved” denotes a formal resolution.

**AWS ’13** [Army Writing Style; August 24th; Online resource dedicated to all major writing requirements in the Army; Army Writing Style, "Punctuation — The Colon and Semicolon," <https://armywritingstyle.com/punctuation-the-colon-and-semicolon/>]

The colon introduces the following:

a.  A list, but only after "as follows," "the following," or a noun for which the list is an appositive: Each scout will carry the following: (colon) meals for three days, a survival knife, and his sleeping bag. The company had four new officers: (colon) Bill Smith, Frank Tucker, Peter Fillmore, and Oliver Lewis.

b.  A long quotation (one or more paragraphs): In The Killer Angels Michael Shaara wrote: (colon) You may find it a different story from the one you learned in school. There have been many versions of that battle [Gettysburg] and that war [the Civil War]. (The quote continues for two more paragraphs.)

c.  A formal quotation or question: The President declared: (colon) "The only thing we have to fear is fear itself." The question is: (colon) what can we do about it?

d.  A second independent clause which explains the first: Potter's motive is clear: (colon) he wants the assignment.

e.  After the introduction of a business letter: Dear Sirs: (colon) Dear Madam: (colon) f.  The details following an announcement For sale: (colon) large lakeside cabin with dock

g.  A formal resolution, after the word "resolved:". Resolved: (colon) That this council petition the mayor.

#### The WTO deals with rules of trade

WTO ND, https://www.wto.org/english/thewto\_e/whatis\_e/whatis\_e.htm

The World Trade Organization (WTO) is the only global international organization dealing with the rules of trade between nations. At its heart are the WTO agreements, negotiated and signed by the bulk of the world’s trading nations and ratified in their parliaments. The goal is to help producers of goods and services, exporters, and importers conduct their business.

#### The members are only governments

WTO ND, https://www.wto.org/english/thewto\_e/whatis\_e/whatis\_e.htm

The WTO is run by its member governments. All major decisions are made by the membership as a whole, either by ministers (who usually meet at least once every two years) or by their ambassadors or delegates (who meet regularly in Geneva).

#### Reduce entails policy action

Findlaw ND, https://dictionary.findlaw.com/definition/reduce.html

to convert by enforcement through litigation [may his claim to judgment, foreclose or otherwise enforce the security interest "*Uniform Commercial Code*"]

#### IPRs deal with patents, trademarks, trade secrets and copy rights

Upcounsel 20, https://www.upcounsel.com/intellectual-property-protection

Intellectual Property Protection is protection for inventions, literary and artistic works, symbols, names, and images created by the mind. Learn how you can protect your intellectual property by using: Patents, Trademarks, [Trade Secrets](https://www.upcounsel.com/trade-secret), and Copyrights.

#### Violation: They have offered militant preservation but not explained how that reduces IP protections by states. There is no certainty we will be able to get DA links or engage the AFF.

#### That’s necessary for limits and ground -- redefining portions of the resolution permits endless reclarification AND creates incentives to focus 1 part of the library for 4 years -- only aligning pre-round research with agent and mechanism solves.

#### Two impacts:

#### 1 -- Fairness -- some level of competitive equity is necessary to sustain the activity -- if it didn’t exist, then there wouldn’t be value to the game since judges could literally vote whatever way they wanted regardless of the competing arguments made. That outweighs -- deciding any other argument in this debate cannot be disentangled from our inability to prepare for it -- any argument you think they’re winning is a link, not a reason to vote for them, since it’s just as likely that they’re winning it because we weren’t able to effectively prepare to defeat it. This means they don’t get to weigh the aff.

#### 2 -- Iteration.

**Iverson ’9** [Joel; 2009; Associate Professor of Communication at the University of Montana, Ph.D in Communication from Arizona State University Relations at the University of Sydney; Debate Central, “Can Cutting Cards Carve into Our Personal Lives: An Analysis of Debate Research on Personal Advocacy,” https://debate.uvm.edu/dybvigiverson1000.html]

Mitchell (1998) provides a thorough examination of the pedagogical implication for academic debate. Although Mitchell acknowledges that debate provides preparation for participation in democracy, limiting debate to a laboratory where students practice their skill for future participation is criticized. Mitchell contends:

For students and teachers of argumentation, the heightened salience of this question should signal the danger that critical thinking and oral advocacy skills alone may not be sufficient for citizens to assert their voices in public deliberation. (p. 45)

Mitchell contends that the laboratory style setting creates barriers to other spheres, creates a "sense of detachment" and causes debaters to see research from the role of spectators. Mitchell further calls for "argumentative agency [which] involves the capacity to contextualize and employ the skills and strategies of argumentative discourse in fields of social action, especially wider spheres of public deliberation" (p. 45). Although we agree with Mitchell that debate can be an even greater instrument of empowerment for students, we are more interested in examining the impact of the intermediary step of research. In each of Mitchell's examples of debaters finding creative avenues for agency, there had to be a motivation to act. It is our contention that the research conducted for competition is a major catalyst to propel their action, change their opinions, and to provide a greater depth of understanding of the issues involved.

The level of research involved in debate creates an in-depth understanding of issues. The level of research conducted during a year of debate is quite extensive. Goodman (1993) references a Chronicle of Higher Education article that estimated "the level and extent of research required of the average college debater for each topic is equivalent to the amount of research required for a Master's Thesis (cited in Mitchell, 1998, p. 55). With this extensive quantity of research, debaters attain a high level of investigation and (presumably) understanding of a topic. As a result of this level of understanding, debaters become knowledgeable citizens who are further empowered to make informed opinions and energized to take action. Research helps to educate students (and coaches) about the state of the world.

Without the guidance of a debate topic, how many students would do in-depth research on female genital mutilation in Africa, or United Nations sanctions on Iraq? The competitive nature of policy debate provides an impetus for students to research the topics that they are going to debate. This in turn fuels students’ awareness of issues that go beyond their front doors. Advocacy flows from this increased awareness. Reading books and articles about the suffering of people thousands of miles away or right in our own communities drives people to become involved in the community at large.

Research has also focused on how debate prepares us for life in the public sphere. Issues that we discuss in debate have found their way onto the national policy stage, and training in intercollegiate debate makes us good public advocates. The public sphere is the arena in which we all must participate to be active citizens. Even after we leave debate, the skills that we have gained should help us to be better advocates and citizens. Research has looked at how debate impacts education (Matlon and Keele 1984), legal training (Parkinson, Gisler and Pelias 1983, Nobles 19850 and behavioral traits (McGlone 1974, Colbert 1994). These works illustrate the impact that public debate has on students as they prepare to enter the public sphere.

The debaters who take active roles such as protesting sanctions were probably not actively engaged in the issue until their research drew them into the topic. Furthermore, the process of intense research for debate may actually change the positions debaters hold. Since debaters typically enter into a topic with only cursory (if any) knowledge of the issue, the research process provides exposure to issues that were previously unknown. Exposure to the literature on a topic can create, reinforce or alter an individual's opinions. Before learning of the School for the America's, having an opinion of the place is impossible. After hearing about the systematic training of torturers and oppressors in a debate round and reading the research, an opinion of the "school" was developed. In this manner, exposure to debate research as the person finding the evidence, hearing it as the opponent in a debate round (or as judge) acts as an initial spark of awareness on an issue. This process of discovery seems to have a similar impact to watching an investigative news report.

Mitchell claimed that debate could be more than it was traditionally seen as, that it could be a catalyst to empower people to act in the social arena. We surmise that there is a step in between the debate and the action. The intermediary step where people are inspired to agency is based on the research that they do. If students are compelled to act, research is a main factor in compelling them to do so. Even if students are not compelled to take direct action, research still changes opinions and attitudes.

Research often compels students to take action in the social arena. Debate topics guide students in a direction that allows them to explore what is going on in the world. Last year the college policy debate topic was,

Resolved: That the United States Federal Government should adopt a policy of constructive engagement, including the immediate removal of all or nearly all economic sanctions, with the government(s) of one or more of the following nation-states: Cuba, Iran, Iraq, Syria, North Korea.

This topic spurred quite a bit of activism on the college debate circuit. Many students become actively involved in protesting for the removal of sanctions from at least one of the topic countries. The college listserve was used to rally people in support ofvarious movements to remove sanctions on both Iraq and Cuba. These messages were posted after the research on the topic began. While this topic did not lend itself to activism beyond rallying the government, other topics have allowed students to take their beliefs outside of the laboratory and into action.

In addition to creating awareness, the research process can also reinforce or alter opinions. By discovering new information in the research process, people can question their current assumptions and perhaps formulate a more informed opinion. One example comes from a summer debate class for children of Migrant workers in North Dakota (Iverson, 1999). The Junior High aged students chose to debate the adoption of Spanish as an official language in the U.S. Many students expressed their concern that they could not argue effectively against the proposed change because it was a "truism." They were wholly in favor of Spanish as an official language. After researching the topic throughout their six week course, many realized much more was involved in adopting an official language and that they did not "speak 'pure' Spanish or English, but speak a unique dialect and hybrid" (Iverson, p. 3). At the end of the class many students became opposed to adopting Spanish as an official language, but found other ways Spanish should be integrated into American culture. Without research, these students would have maintained their opinions and not enhanced their knowledge of the issue. The students who maintained support of Spanish as an official language were better informed and thus also more capable of articulating support for their beliefs.

The examples of debate and research impacting the opinions and actions of debaters indicate the strong potential for a direct relationship between debate research and personal advocacy. However, the debate community has not created a new sea of activists immersing this planet in waves of protest and political action. The level of influence debater search has on people needs further exploration. Also, the process of research needs to be more fully explored in order to understand if and why researching for the competitive activity of debate generates more interest than research for other purposes such as classroom projects.

Since parliamentary debate does not involve research into a single topic, it can provide an important reference point for examining the impact of research in other forms of debate. Based upon limited conversations with competitors and coaches as well as some direct coaching and judging experience in parliamentary debate, parliamentary forms of debate has not seen an increase in activism on the part of debaters in the United States. Although some coaches require research in order to find examples and to stay updated on current events, the basic principle of this research is to have a commonsense level of understanding(Venette, 1998). As the NPDA website explains, "the reader is encouraged to be well-read in current events, as well as history, philosophy, etc. Remember: the realm of knowledge is that of a 'well-read college student'" (NPDA Homepage,<http://www.bethel.edu/Majors/Communication/npda/faq2.html>). The focus of research is breadth, not depth. In fact, in-depth research into one topic for parliamentary debate would seem to be counterproductive. Every round has a different resolution and for APDA, at least, those resolutions are generally written so they are open to a wide array of case examples, So, developing too narrow of a focus could be competitively fatal. However, research is apparently increasing for parliamentary teams as reports of "stock cases" used by teams for numerous rounds have recently appeared. One coach did state that a perceived "stock case" by one team pushed his debaters to research the topic of AIDS in Africa in order to be equally knowledgeable in that case. Interestingly, the coach also stated that some of their research in preparation for parliamentary debate was affecting the opinions and attitudes of the debaters on the team.

Not all debate research appears to generate personal advocacy and challenge peoples' assumptions. Debaters must switch sides, so they must inevitably debate against various cases. While this may seem to be inconsistent with advocacy, supporting and researching both sides of an argument actually created stronger advocates. Not only did debaters learn both sides of an argument, so that they could defend their positions against attack, they also learned the nuances of each position. Learning and the intricate nature of various policy proposals helps debaters to strengthen their own stance on issues.

#### TVA: Defend a reduction of IP protections to fight global logistics.

#### Linking advocacy in spaces like debate to state reductions of IP protections spills up.

Sharifah Sekalala 21 et al., Warwick Law School, University of Warwick, Coventry, UK. Lisa Forman, Dalla Lana School of Public Health, University of Toronto, Toronto, Ontario, Canada. Timothy Hodgson, International Commission of Jurists, Johannesburg, South Africa. Moses Mulumba, Center for Health, Human Rights and Development, Kampala, Uganda. Hadijah Namyalo-Ganafa, School of Law, Makerere University, Kampala, Uganda. Benjamin Mason Meier, Department of Public Policy, University of North Carolina at Chapel Hill, Chapel Hill, North Carolina, USA. BMJ Glob Health. 2021; 6(7): e006169. Published online 2021 Jul 12. “Decolonising human rights: how intellectual property laws result in unequal access to the COVID-19 vaccine” <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8277484/> brett

Under the ICESCR and IHR, states have a duty to cooperate with other states in progressively realising the right to health, including ensuring provision of minimum levels of health services, facilities and goods on a non-discriminatory basis.54 55 The CESCR has clarified that, in the context of COVID-19, this duty should include: ‘sharing of research, medical equipment and supplies, and best practices in combating the virus; coordinated action to reduce the economic and social impacts of the crisis; and joint endeavours by all States to ensure an effective, equitable economic recovery’.56 Additionally, it affirmed that ‘the needs of vulnerable and disadvantaged groups as well as fragile countries, including least developed countries, countries in conflict and post-conflict situations, should be at the centre of such international endeavours’.56

Many statements from various UN treaty bodies have acknowledged that ensuring universal access to essential medicines is central to the realisation of the right to health, and that IP considerations should never over-ride human rights obligations for universal and equitable access to the COVID-19 vaccine.57–62 These statements have been achieved through a global movement of solidarity, encompassing states, civil society organisations and individuals, and reflect a reassessment of human rights values from below. For instance, the Special Rapporteur on the right to health has argued that solidarity needs to be part of a wider effort to redistribute health resources. However, these statements need to go further and call for explicit reparations in global health, which is the only way to redistribute health resources globally.4 63

Increased financing could fund public research and development through either WHO’s existing efforts for a complementary research and development treaty,64 or through mechanisms such as the proposed Pandemic Financing Facility. The latter proposes to mobilise long-term contributions of approximately US$5–US$10 billion per annum to finance preparedness, but should also focus on funding research and development on pathogens so as to restructure patents as a global public good.65 For those states unable to fund their own access to COVID-19 vaccines, there is an international human rights duty on other states to ensure that such states are not harmed through the actions of multilateral institutions that leave them with devastating debt (The Maastricht Principles (see note 57), Principles 3, 4 and 9).66

In meeting these international obligations immediately to ensure access to COVID-19 vaccines, only a few countries are capable of manufacturing the vaccine at the scale needed.67 This inequity in vaccine production capacity requires countries from the Global North to support countries in the Global South to increase their production capacity, including through non-exclusive licensing and the WHO’s COVID-19 Technology Access Pool.68 Sharing technology and building manufacturing capacity will be critical to ensuring that countries can solve problems of access to essential medicines in the long term, setting a precedent that will be necessary in addressing environmental justice, antimicrobial resistance prevention and other global public goods.

Increased funding, as a form of reparations, would help finance a more equitable manufacturing base to ensure that all countries in the Global South are not totally reliant on existing manufacturers. Although we acknowledge that the manufacturing of vaccines is a complex process and that not every country is likely to manufacture medicines including vaccines at the required scale, the WHO has projected that at present, five African countries have some capacity to manufacture vaccines, and efforts to finance manufacturing capacity for countries of the Global South would go a long way towards readdressing the charity model proposed under COVAX by ensuring that African countries can rely on regional compacts for their vaccine access. Coordination and cooperation within the African Union and the Africa Centres for Disease Control and Prevention, which has already begun, could determine the strategically best, and most effective, locations and ways to scale up manufacturing on the continent to improve vaccine access.69 70

### OFF

#### Counterplan: Affirm militant preservation. Don’t reduce IP protections for medicines.

#### Solves the AFF – all their cards say militant preservation good but don’t say why IP protections are uniquely bad.

#### Net benefit – the DA.

### OFF

#### Medical Innovation is high now

Kenan 6-9, The Frank Hawkins Kenan Institute of Private Enterprise develops and promotes innovative, market-based solutions to vital economic issues. With the belief that private enterprise is the cornerstone of a prosperous and free society, the institute fosters the entrepreneurial spirit to stimulate economic prosperity and improve the lives of people in North Carolina, across the country and around the world. Kenan Institute, 6-9-21, “Turbocharging Healthcare Innovation” <https://kenaninstitute.unc.edu/kenan-insight/turbocharging-healthcare-innovation/> brett

As COVID-19 began to spread around the globe, companies and entrepreneurs stepped up to develop new technologies and redeploy existing technologies in their portfolio to tackle the disease and cope with the constraints it brought. The pandemic forced telemedicine into the mainstream and brought mRNA vaccine technology to the forefront. At the same time, new technologies such as CRISPR gene editing and artificial intelligence (AI) approaches have been finding their niche for speeding up drug discovery and development.

Healthcare innovation was already on the fast train before the pandemic. Now, it’s been turbocharged. In this Kenan Insight, we explore why the 2021 Trends in Entrepreneurship Report names emerging technology in the healthcare industry as a key trend for entrepreneurship, along with some of the challenges that come with fast-moving technology advances.

A trajectory of explosive growth

The healthcare industry has experienced extraordinary growth over the past four decades. Big pharma is driving much of this boom, accounting for 10% of the U.S. economy’s overall R&D spending at the end of 2020.1 The medical device industry, expected to generate $54.5 billion over the next four years, is another important player.2 This growth is catching the attention of investors. In 2020, health tech startups raised approximately $14 billion in venture capital funding, nearly double that of 2019.3 CB Insights estimates there are now 51 healthcare unicorns, defined as startups valued at $1 billion or more.

Health-tech venture funding reached record levels in 2020

Chart, bar chart, histogram

Description automatically generated

Source: Deloitte analysis of Rock Health’s Digital Health Funding Database

Innovation is a critical driver in the healthcare sector. Increasing rates of innovation can be seen in the sharp rise of U.S. patents granted for pharmaceuticals and medical devices in recent years. Between 2013 and 2019, more than 60,000 pharmaceutical patents and more than 125,000 medical device patents were granted.4 Today, there are more than 18,500 drugs at various stages of the development process worldwide.5

Maturing technologies

The increasing numbers of patent applications, clinical trials and collaborations are leading indicators of a vibrant and growing biopharmaceutical ecosystem. However, the proliferation of innovation tools, rather than just innovative products, is what will allow the next generation of pharmaceutical drugs to be discovered more quickly and more efficiently, to provide more effective treatments and to target diseases that have so far evaded our collective intervention efforts. As scientists learn more about human genes and their connection to diseases, these insights can feed into tools that make drug R&D faster, less expensive and more precise.

AI technology has matured to the point where it can now be used reliably to analyze huge amounts of data and solve extremely complex problems. This has made AI attractive to the pharmaceutical industry as a tool that can enable more efficient identification of new drugs and drug targets. In 2020, drug discovery was the focus area that received the most private AI investment, with more than $13.8 billion invested globally. This was 4.5 times higher than the total for 2019.6

CRISPR gene editing is another hot technology that is enabling the development of more innovative and accurate therapeutic strategies. This tool is making it easier to determine the genes and proteins that cause or prevent disease and thus to identify new targets for potential drugs. As of the second quarter of 2020, there were 724 active companies around the world focused on using or developing CRISPR technology and almost 50 clinical trials involving CRISPR.7

mRNA was certainly one of the brightest technology stars of 2020. After decades of research, mRNA proved to be the ideal solution for developing a highly effective COVID-19 vaccine at record speed. However, this is likely only the beginning of the story for mRNA. Therapies based on mRNA technology are being developed to treat malaria, cancer and multiple sclerosis and we’ll likely see more mRNA-based vaccines designed to fight a host of current and future infectious diseases. As of February 2021, CB Insights reports more than 520 ongoing clinical trials worldwide that were applying mRNA technology to more than 20 disease classes.8

#### The plan undermines the economic certainty provided by TRIPS---that disrupts innovation in every sector

Tom Lee & Christopher Holt 5-10, Tom received a B.A. in Economics with a Statistics Minor from the University of Maryland, College Park, in 2018. Christopher has a Master’s in Congressional and Presidential Studies from The Catholic University of America, and he studied political science as an undergraduate at Whitman College. American Action Forum, May 10, 2021. “Intellectual Property, COVID-19 Vaccines, and the Proposed TRIPS Waiver” <https://www.americanactionforum.org/insight/intellectual-property-covid-19-vaccines-and-the-proposed-trips-waiver/> brett

Public posturing aside, the Biden Administration surely knows that a TRIPS waiver for COVID-19 related IP will likely be futile. Scaling up production, as Klain alluded to, has proven to be the main challenge to manufacturing larger quantities of vaccine.[4] Waiving TRIPS would do nothing to address this constraint. Waiving TRIPS would instead encourage IP abuse and distort market forces and innovation.

TRIPS Provisions

The TRIPS agreement is an international trade agreement among all 164 members of the WTO. It is one of three founding and central components of the WTO, along with the General Agreement on Tariffs and Trade (GATT) and the General Agreement on Trade in Services (GATS).

The purpose of the TRIPS agreement is to unify trade and provide increased certainty in international economic relations. Among other things, TRIPS specifically:

Provides minimum IP protections and standards that apply to all WTO members;

Outlines enforcement actions that countries can undertake to remedy violations of the above standards; and

Establishes dispute settlement procedures to allow countries to negotiate an end to disagreements.

TRIPS does, however, allow for compulsory licensing where in a public health emergency, a country may copy patented drugs without the permission of the original manufacturer with WTO approval.

Proposal to Waive TRIPS

The recent proposal submitted by India and South Africa and signed on by over 100 developing countries would waive four specific protections of COVID-19 vaccines and related medical products and services:

Copyrights;

Patents;

Trademarks; and

Undisclosed information procedures.

The first three protections allow companies to prevent foreign companies from copying their products. They require the original company to disclose information about the product, however. Foreign companies are free to study the disclosed information of the patent but cannot copy it unless given a licensing agreement from the original company. Contrarily, companies can choose not to get patents for their products and instead keep their information secret. The fourth protection prevents the theft of trade secrets of foreign companies. While TRIPS has been waived previously, if approved, this would be the broadest waiver since the agreement’s enactment in 1995.[5]

TRIPS and Manufacturing Capacity

The primary justification for waiving TRIPS is that IP protections cause underutilized manufacturing capacity. By removing TRIPS, developing nations could copy patented drugs and use their own manufacturers to produce vaccines, thereby increasing access. This rationale, however, is flawed. Adar Poonawalla, CEO of the Serum Institute of India—currently the largest producer of COVID-19 vaccine doses in the world—has argued that access to IP is not limiting vaccine production, rather it is the time involved in scaling up manufacturing capacity.[6] It should also be noted that Moderna has already pledged not to enforce its own COVID-19 vaccine patents during the pandemic.[7]

In addition, COVID-19 vaccines such as those produced by Pfizer and Moderna use emerging and very complex technologies and processes. These technologies and processes are essential to producing and increasing scale of COVID-19 vaccines. They are not published in patents but rather kept as trade secrets. The fourth protection mentioned above only prevents theft of trade secrets; it does not allow or disallow a company from keeping trade secrets. Waiving TRIPS therefore does nothing to speed up vaccine production even if there were excess manufacturing capacity, as manufacturers would not receive the essential trade secrets they would need. The issue at present is not underutilized manufacturing capacity, rather scaling up production has been the largest difficulty of vaccine manufacturing. It takes anywhere from 60 to 120 days to produce a single batch of vaccines. Even with manufacturing challenges, between 9.5 and 13.5 billion doses of COVID-19 vaccines are projected to be produced in 2021. Eleven billion doses would be sufficient to vaccinate 70 percent of the world population and reach heard immunity, assuming 2-dose vaccinations.[8]

TRIPS and Compulsory Licensing

Separate from a broad IP waiver, TRIPS includes a compulsory licensing process. Foreign manufacturers are free to ask a patentee for a voluntary licensing agreement to manufacture a product. This process can be long, however, and the patentee can ultimately refuse. When this happens, TRIPS allows the manufacturer through its national government to grant a compulsory license provided the manufacturer has first sought a voluntary licensing agreement. This compulsory license is issued by that national government to the manufacturer to produce a patented drug without the original patentee’s permission. Each compulsory license must apply to a specific product. It is important to note that TRIPS does not have a governing body which oversees this process. At the same time, if a country grants an internationally unpopular compulsory license, it will face economic, political, and retaliatory ramifications from other governments and private firms, so governments must weigh these costs.

In addition, if a country declares a national emergency or other circumstances of extreme urgency, TRIPS allows a foreign manufacturer to immediately apply for a compulsory license, skipping the process to apply for a voluntary license. A TRIPS waiver, like the one suggested for COVID-19-related IP, is therefore entirely unnecessary—even if IP protections were an obstacle to vaccine access. In the case of COVID-19, compulsory licensing would not, however, address the real issues related to scaling manufacturing capacity.

The Vagueness of the Proposed TRIPS Waiver

Under the broad language of the proposed TRIPS waiver, any drugs that have use for patients with COVID-19, including those that predate the pandemic, could lose patent protection. Thus, a foreign company could produce a specific drug under the auspices of COVID-19 but sell it for another disease. Moreover, the foreign company would not have to provide any financial compensation to the company from whom they took the IP. The proposal’s language is so broad that other patented medical products beyond pharmaceutical drugs such as masks, non-pharmaceutical chemical compounds, and respirators would also be subject to the waiver.

It is also noteworthy that the vaccines developed by Pfizer, Moderna, and Johnson & Johnson are not currently approved by the Indian government for use in India, due to regulatory obstacles related to localized clinical trials. Effectively then, India is pointing to IP protections as an obstacle to obtaining vaccines they have not even approved for use in their country.[9]

At the same time, a concerted global effort is underway to ensure access to COVID-19 vaccines in all countries. The WHO, Gavi (previously the Global Alliance for Vaccines and Immunization), and the Coalition for Epidemic Preparedness Innovations have partnered to establish the COVAX initiative, designed specifically to distribute vaccines to the developing world. COVAX is projected to distribute at least 2 billion vaccines by the end of 2021.[10] Johnson & Johnson has further announced plans to distribute 500 million vaccines to developing nations starting in mid-2021, in addition to those it already allocated to other nations.[11]

TRIPS and Innovation

The TRIPS agreement and its IP protections were created to increase unity and certainty in the global economy. The economic certainty provided by IP protections preserve competitiveness and increase value—i.e., IP protections provide incentives to companies to create new and groundbreaking technologies. In terms of the COVID-19 pandemic, perhaps it is these incentives that encouraged companies to produce vaccines quickly and successfully. Without IP protections, companies could not reap the rewards of their efforts. Waiving TRIPS would weaken the market forces that encourage innovation. Combined with the broad language of the TRIPS waiver, the loss of innovation would happen in many industries and sectors of the global economy.

Conclusion

The proposal to waive TRIPS is based on the misperception that IP protections serve as barriers to COVID-19 vaccine production. In fact, the difficulty of scaling up production is the key challenge. Waiving TRIPS will do nothing to increase vaccine production, represents poor policy toward IP, and will create a whole new set of trade policy challenges.

A better approach is to build upon current global vaccine partnerships while ensuring that companies can secure their supply chains. Such efforts would increase access to vaccines while avoiding the potentially widespread and long-term problems associated with waiving IP protections provided by TRIPS.

#### Innovation is an impact filter---it encompasses AND outweighs every existential threat.

Dylan Matthews 18. Co-founder of Vox, citing Nick Beckstead @ Rutgers University. 10-26-2018. "How to help people millions of years from now." Vox. <https://www.vox.com/future-perfect/2018/10/26/18023366/far-future-effective-altruism-existential-risk-doing-good> brett

If you care about improving human lives, you should overwhelmingly care about those quadrillions of lives rather than the comparatively small number of people alive today. The 7.6 billion people now living, after all, amount to less than 0.003 percent of the population that will live in the future. It’s reasonable to suggest that those quadrillions of future people have, accordingly, hundreds of thousands of times more moral weight than those of us living here today do. That’s the basic argument behind Nick Beckstead’s 2013 Rutgers philosophy dissertation, “On the overwhelming importance of shaping the far future.” It’s a glorious mindfuck of a thesis, not least because Beckstead shows very convincingly that this is a conclusion any plausible moral view would reach. It’s not just something that weird utilitarians have to deal with. And Beckstead, to his considerable credit, walks the walk on this. He works at the Open Philanthropy Project on grants relating to the far future and runs a charitable fund for donors who want to prioritize the far future. And arguments from him and others have turned “long-termism” into a very vibrant, important strand of the effective altruism community. But what does prioritizing the far future even mean? The most literal thing it could mean is preventing human extinction, to ensure that the species persists as long as possible. For the long-term-focused effective altruists I know, that typically means identifying concrete threats to humanity’s continued existence — like unfriendly artificial intelligence, or a pandemic, or global warming/out of control geoengineering — and engaging in activities to prevent that specific eventuality. But in a set of slides he made in 2013, Beckstead makes a compelling case that while that’s certainly part of what caring about the far future entails, approaches that address specific threats to humanity (which he calls “targeted” approaches to the far future) have to complement “broad” approaches, where instead of trying to predict what’s going to kill us all, you just generally try to keep civilization running as best it can, so that it is, as a whole, well-equipped to deal with potential extinction events in the future, not just in 2030 or 2040 but in 3500 or 95000 or even 37 million. In other words, caring about the far future doesn’t mean just paying attention to low-probability risks of total annihilation; it also means acting on pressing needs now. For example: We’re going to be better prepared to prevent extinction from AI or a supervirus or global warming if society as a whole makes a lot of scientific progress. And a significant bottleneck there is that the vast majority of humanity doesn’t get high-enough-quality education to engage in scientific research, if they want to, which reduces the odds that we have enough trained scientists to come up with the breakthroughs we need as a civilization to survive and thrive. So maybe one of the best things we can do for the far future is to improve school systems — here and now — to harness the group economist Raj Chetty calls “lost Einsteins” (potential innovators who are thwarted by poverty and inequality in rich countries) and, more importantly, the hundreds of millions of kids in developing countries dealing with even worse education systems than those in depressed communities in the rich world. What if living ethically for the far future means living ethically now? Beckstead mentions some other broad, or very broad, ideas (these are all his descriptions): Help make computers faster so that people everywhere can work more efficiently Change intellectual property law so that technological innovation can happen more quickly Advocate for open borders so that people from poorly governed countries can move to better-governed countries and be more productive Meta-research: improve incentives and norms in academic work to better advance human knowledge Improve education Advocate for political party X to make future people have values more like political party X ”If you look at these areas (economic growth and technological progress, access to information, individual capability, social coordination, motives) a lot of everyday good works contribute,” Beckstead writes. “An implication of this is that a lot of everyday good works are good from a broad perspective, even though hardly anyone thinks explicitly in terms of far future standards.” Look at those examples again: It’s just a list of what normal altruistically motivated people, not effective altruism folks, generally do. Charities in the US love talking about the lost opportunities for innovation that poverty creates. Lots of smart people who want to make a difference become scientists, or try to work as teachers or on improving education policy, and lord knows there are plenty of people who become political party operatives out of a conviction that the moral consequences of the party’s platform are good. All of which is to say: Maybe effective altruists aren’t that special, or at least maybe we don’t have access to that many specific and weird conclusions about how best to help the world. If the far future is what matters, and generally trying to make the world work better is among the best ways to help the far future, then effective altruism just becomes plain ol’ do-goodery.\*

#### Medical innovation is key to address future pandemics---extinction.

Engelhardt 8 (H. Tristram, doctorate in philosophy (University of Texas at Austin), M.D. (Tulane University), professor of philosophy (Rice University), and professor emeritus at Baylor College of Medicine, “Innovation and the Pharmaceutical Industry: Critical Reflections on the Virtues of Profit,” <https://www.amazon.com/Innovation-Pharmaceutical-Industry-Reflections-Conflicts/dp/0980209447>) (Taiwan)

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

#### Extinction comes first:

#### A] Future lives -- trillions of future lives are lost. They are just as valuable as current ones – anything else says some lives are worth less than others which is a slippery slope to genocide.

#### B] Reversibility -- extinction forecloses future improvement; prefer -- if we’re unsure about which interpretation of the world is true, we should preserve it to figure things out.

## Case

### 1NC---Presumption

#### Frame the 1AC through solvency, not impacts – any attempt to filter offense through the RotB or the speech act of the aff is an arbitrary goalpost that only serves to insulate it from criticism and nuanced testing – forcing us to negate the efficacy of personal strategies is at best impossible and at worst violent – the aff can’t change the material structures that produce anti-black violence – no warrant for how the aff spills up to impact structures of politics writ large or out of debate means you vote neg on presumption.

#### Negate on presumption---Inherency---scholars and activists already affirm the 1AC. Their affirmation does not change the impacts they described and has no mechanism to spill up.

#### Using the ballot for solvency is bad:

#### 1 -- It zeroes the potential for transformative change -- stats prove.

Ritter 13. (JD from U Texas Law (Michael J., “Overcoming The Fiction of “Social Change Through Debate”: What’s To Learn from 2pac’s Changes?,” National Journal of Speech and Debate, Vol. 2, Issue 1)

The structure of competitive interscholastic debate renders any message communicated in a debate round virtually incapable of creating any social change, either in the debate community or in general society. And to the extent that the fiction of social change through debate can be proven or disproven through empirical studies or surveys, academics instead have analyzed debate with nonapplicable rhetorical theory that fails to account for the unique aspects of competitive interscholastic debate. Rather, the current debate relating to activism and competitive interscholastic debate concerns the following: “What is the best model to promote social change?” But a more fundamental question that must be addressed first is: “Can debate cause social change?” Despite over two decades of opportunity to conduct and publish empirical studies or surveys, academic proponents of the fiction that debate can create social change have chosen not to prove this fundamental assumption, which—as this article argues—is merely a fiction that is harmful in most, if not all, respects. The position that competitive interscholastic debate can create social change is more properly characterize5d as a fiction than an argument. A fiction is an invented or fabricated idea purporting to be factual but is not provable by any human senses or rational thinking capability or is unproven by valid statistical studies. An argument, most basically, consists of a claim and some support for why the claim is true. If the support for the claim is false or its relation to the claim is illogical, then we can deduce that the particular argument does not help in ascertaining whether the claim is true. Interscholastic competitive debate is premised upon the assumption that debate is argumentation. Because fictions are necessarily not true or cannot be proven true by any means of argumentation, the competitive interscholastic debate community should be incredibly critical of those fictions and adopt them only if they promote the activity and its purposes

#### 2 -- It fosters worse hostility and exclusion.

Ritter 13 (JD from U Texas Law (Michael J., “Overcoming The Fiction of “Social Change Through Debate”: What’s To Learn from 2pac’s Changes?,” National Journal of Speech and Debate, Vol. 2, Issue 1)

The fiction of social change through debate abuses the win--loss structure of debate and permits debaters to otherize, demonize, dehumanize, and exclude opponents. The win--loss structure of debate rounds requires a judge to vote for one side or the other, as judges generally cannot give a double win. This precludes the possibility of compromise on any major position in the debate when the resolution of the position would determine the ultimate issue of “which team did the better debating.” Thus, the fiction of social change through debate encourages debaters to construct narratives of good versus evil in which the other team is representative of some evil that threatens to bring about our destruction if it is endorsed (e.g. capitalism). The team relying on the fiction of social change through debate then paints themselves as agents of the good, and gives the judge a George W. Bush-like “option”: “You’re either with us or you’re against us.” The fiction of social change through debate—like Bush’s rhetorical fear tactics and creation of a false, polarizing, and exclusionary dichotomy to justify all parts of the War on Terror—enables the otherization, demonization, dehumanization, and exclusion of the opposing team. When the unfairness of this tactic is brought to light—particularly in egregious situations when a team is arguing that the other team should lose because of their skin color—all can see that the debate centers on personal attacks against opposing debaters. This causes tensions between debaters that frequently result in debaters losing interest or quitting. By alienating and excluding members of the competitive interscholastic debate community for the purpose of winning a debate, it also makes the reaching of any compromise outside of the debate—the only place where compromise is possible—much less likely. By bringing the social issue into a debate round, debaters impede out-of round progress on the resolution of social issues within and outside the debate community by prompting backlash.

#### 3 -- Symbolic affirmation divorced from material advocacy re-entrenches power.

Rigakos and Law, 9—Assistant Professor of Law at Carleton University AND PhD, Legal Studies, Carleton University (George and Alexandra “Risk, Realism and the Politics of Resistance,” Critical Sociology 35(1) 79-103, dml)

McCann and March (1996: 244) next set out the ‘justification for treating everyday practices as significant’ suggested by the above literature. First, the works studied are concerned with proving people are not ‘duped’ by their surroundings. At the level of consciousness, subjects ‘are ironic, critical, realistic, even sophisticated’ (1996: 225). But McCann and March remind us that earlier radical or Left theorists have made similar arguments without resorting to stories of everyday resistance in order to do so. Second, everyday resistance on a discursive level is said to reaffirm the subject’s dignity. But this too causes a problem for the authors because they:

query why subversive ‘assertions of self’ should bring dignity and psychological empowerment when they produce no greater material benefits or changes in relational power … By standards of ‘realism’, … subjects given to avoidance and ‘lumping it’ may be the most sophisticated of all. (1996: 227)

Thus, their criticism boils down to two main points. First, everyday resistance fails to tell us any more about so-called false consciousness than was already known among earlier Left theorists; and second, that a focus on discursive resistance ignores the role of material conditions in helping to shape identity.

Indeed, absent a broader political struggle or chance at effective resistance it would seem to the authors that ‘powerlessness is learned out of the accumulated experiences of futility and entrapment’ (1996: 228). A lamentable prospect, but nonetheless a source of closure for the governmentality theorist. In his own meta-analysis of studies on resistance, Rubin (1996: 242) finds that ‘discursive practices that neither alter material conditions nor directly challenge broad structures are nevertheless’ considered by the authors he examined ‘the stuff out of which power is made and remade’. If this sounds familiar, it is because the authors studied by McCann, March and Rubin found their claims about everyday resistance on the same understanding of power and government employed by postmodern theorists of risk. Arguing against celebrating forms of resistance that fail to alter broader power relations or material conditions is, in part, recognizing the continued ‘real’ existence of identifiable, powerful groups (classes). In downplaying the worth of everyday forms of resistance (arguing that these acts are not as worthy of the label as those acts which bring about lasting social change), Rubin appears to be taking issue with a locally focused vision of power and identity that denies the possibility of opposing domination at the level of ‘constructs’ such as class.

Rubin (1996: 242) makes another argument about celebratory accounts of everyday resistance that bears consideration:

[T]hese authors generally do not differentiate between practices that reproduce power and those that alter power. [The former] might involve pressing that power to become more adept at domination or to dominate differently, or it might mean precluding alternative acts that would more successfully challenge power. … [I]t is necessary to do more than show that such discursive acts speak to, or engage with, power. It must also be demonstrated that such acts add up to or engender broader changes.

In other words, some of the acts of everyday resistance may in the real world, through their absorption into mechanisms of power, reinforce the localized domination that they supposedly oppose. The implications of this argument can be further clarified when we study the way ‘resistance’ is dealt with in a risk society.

Risk theorists already understand that every administrative system has holes which can be exploited by those who learn about them. That is what makes governmentality work: the supposed governor is in turn governed – in part through the noncompliance of subjects (Foucault, 1991a; Rose and Miller, 1992). For example, where employees demonstrate unwillingness to embrace technological changes in the workplace, management consultants can create:

a point of entry, but also a ‘problem’ that their ‘packages’ are designed to resolve. … In short, consultants readily constitute certain forms of conduct as ‘resistance to technology’ as this gives them some purchase on its reform by identifying a space in which expertise can be brought to bear in the exercise of power. Resistance consequently plays the role of continuously provoking extensions, revisions and refinements of those same practices which it confronts. (Knights and Vurdubakis, 1994: 80)

This appears to be a very different kind of resistance from that contemplated by Rubin, but perhaps not so different from that of the authors whom he and McCann and March critique: those whose analysis ends at the discursive production of noncompliance. Instead, the above account is of a resistance that almost invariably helps power to work better. A conclusion in the present day that ominously foreshadows the futuristic, dystopic risk assemblage described by Bogard (1996).

Another example of the ‘resolution’ of resistance proposed above is the institution of a tool library described by Shearing (2001: 204–5). In this parable, a business deals with the issue of tool theft on the part of workers by installing a ‘lending library’ of tools instead of engaging in vigorous prosecution and jeopardizing worker morale. While the parable is meant to indicate a difference between actuarial and more traditional (moral) forms of justice, it also demonstrates how an act that may be considered ‘resistant’ is incorporated without conflict into the workplace loss-prevention scheme – an eminently preferable, ‘forward-looking’ solution within the logic of risk management. The same is possible in the case of more discursive forms of resistance. If I do not see myself as a Guinness man, for example, market researchers will do their best to adapt Guinness to the way I do see myself (Miller and Rose, 1997). The end result, of course, is that I purchase the beer. As manifested in a form of justice (Shearing and Johnston, 2005), it always consolidates, tempers emotions, cools the analysis, reconciles factions, and always relentlessly moves forward, assimilating as it grows. In this sense, therefore, Bogard’s ‘social science fiction’ actually pre-supposes and logically extends Shearing’s (2001) rather cheery and benevolent rendering of risk thinking. In this context of governmentality theory – as self-described and lauded for its political non-prescription by its own pundits – the acts or attitudes described as resistant are, in the end, absorbed by those who govern. Resistance as an oppositional force – that pushes against or has the potential to take power – is theoretically and politically neutralized. In the neutralization process, power is reproduced.

So, along with McCann and March’s observations that everyday resistance adds little to our understanding of false consciousness and that it denies the role of material factors in shaping identity, we can add Rubin’s two main criticisms of everyday resistance: it relies on an inaccurate understanding of power, and acts of resistance which supposedly emancipate actually may reinforce domination. All four of these criticisms demand the same thing: to know what is really going on, to get an adequate grasp of the social.

### 1NC---No Rev

#### The state responds with military crackdowns.

**Flaherty ’5** [Kevin; 2005; B.A. in International Relations from the University of South California; Cryptogon, “Militant Electronic Piracy:  
Non-Violent Insurgency Tactics Against the American Corporate State,” <http://cryptogon.com/docs/pirate_insurgency.html/>]

Any violent insurgency against the American Corporate State is sure to fail and will only serve to enhance the state's power. The major flaw of violent insurgencies, both cell based (Weathermen Underground, Black Panthers, Aryan Nations etc.) and leaderless (Earth Liberation Front, People for the Ethical Treatment of Animals, etc.) is that they are attempting to attack the system using the same tactics the American Corporate State has already mastered: terror and psychological operations. The American Corporate State attained primacy through the effective application of terror and psychological operations. Therefore, it has far more skill and experience in the use of these tactics than any upstart could ever hope to attain. This makes the American Corporate State impervious to traditional insurgency tactics.

- Political Activism and the ACS Counterinsurgency Apparatus

The American Corporate State employs a full-time counterinsurgency infrastructure with resources that are unimaginable to most would be insurgents. Quite simply, violent insurgents have no idea of just how powerful the foe actually is. Violent insurgents typically start out as peaceful, idealistic, political activists. Whether or not political activists know it, even with very mundane levels of political activity, they are engaging in low intensity conflict with the ACS.

The U.S. military classifies political activism as “low intensity conflict.” The scale of warfare (in terms of intensity) begins with individuals distributing anti-government handbills and public gatherings with anti-government/anti-corporate themes. In the middle of the conflict intensity scale are what the military refers to as Operations Other than War; an example would be the situation the U.S. is facing in Iraq. At the upper right hand side of the graph is global thermonuclear war. What is important to remember is that the military is concerned with ALL points along this scale because they represent different types of threats to the ACS.

Making distinctions between civilian law enforcement and military forces, and foreign and domestic intelligence services is no longer necessary. After September 11, 2001, all national security assets would be brought to bear against any U.S. insurgency movement. Additionally, the U.S. military established NORTHCOM which designated the U.S. as an active military operational area. Crimes involving the loss of corporate profits will increasingly be treated as acts of terrorism and could garner anything from a local law enforcement response to activation of regular military forces.

Most of what is commonly referred to as “political activism” is viewed by the corporate state's counterinsurgency apparatus as a useful and necessary component of political control.

Letters-to-the-editor...

Calls-to-elected-representatives...

Waving banners...

“Third” party political activities...

Taking beatings, rubber bullets and tear gas from riot police in free speech zones...

Political activism amounts to an utterly useless waste of time, in terms of tangible power, which is all the ACS understands. Political activism is a cruel guise that is sold to people who are dissatisfied, but who have no concept of the nature of tangible power. Counterinsurgency teams routinely monitor these activities, attend the meetings, join the groups and take on leadership roles in the organizations.

It's only a matter of time before some individuals determine that political activism is a honeypot that accomplishes nothing and wastes their time. The corporate state knows that some small percentage of the peaceful, idealistic, political activists will eventually figure out the game. At this point, the clued-in activists will probably do one of two things; drop out or move to escalate the struggle in other ways.

If the clued-in activist drops his or her political activities, the ACS wins.

But what if the clued-in activist refuses to give up the struggle? Feeling powerless, desperation could set in and these individuals might become increasingly radicalized. Because the corporate state's counterinsurgency operatives have infiltrated most political activism groups, the radicalized members will be easily identified, monitored and eventually compromised/turned, arrested or executed. The ACS wins again.

#### Those overwhelm and turn affirmative solvency.

**DeBoer ’16** [Fredrik; March 15th; Ph.D. from Purdue University; Fredrikdeboer, “c’mon, guys,” http://fredrikdeboer.com/2016/03/15/cmon-guys/]

I could be wrong about the short-term dangers, and the stakes are incredibly high. But in the end we’re left with the same old question: what tactics will actually work to secure a better world?

In a sharp, sober piece about the meaning of left-wing political violence in the 1970s, Tim Barker writes “If you can’t acknowledge radical violence, radicals are reduced to mere victims of repression, rather than political actors who made definite tactical choices under given political circumstances.” The problem, as Barker goes on to imply, is those tactical choices: in today’s America they will essentially never break on the side of armed opposition against the state. The government knows everything about you, I’m sorry to say, your movements and your associations and the books you read and the things you buy and what you’re saying to the people you communicate with. That’s simply on the level of information before we even get to the state’s incredible capacity to inflict violence.

Look, the world has changed. The relative military capacity of regular people compared to establishment governments has changed, especially in fully developed, technology-enabled countries like the United States. The Czar had his armies, yes, but the Czar’s armies depended on manpower above and beyond everything else. The fighting was still mostly different groups of people with rifles shooting at each other. If tomorrow you could rally as many people as the Bolsheviks had at their revolutionary peak, you’re still left in a world of F-15s, drones, and cluster bombs. And that’s to say nothing of the fact that establishment governments in the developed world can rely on the numbing agents of capitalist luxuries and the American dream to damper revolutionary enthusiasm even among the many millions who have been marginalized and impoverished. This just isn’t 1950s Cuba, guys. It’s just not. In a very real way, modern technology effectively lowers the odds of armed political revolution in a country like the United States to zero, and so much the worse for us.

This isn’t fatalism. It doesn’t mean there’s no hope. It means that there is little alternative to organization, to changing minds through committed political action and using the available nonviolent means to create change: a concert of grassroots organizing, labor tactics, and partisan politics. Those things aren’t exactly likely to work, either, but they’re a hell of a lot more plausible than us dweebs taking the Pentagon. Bernie Sanders isn’t really a socialist, but he’s a social democrat that moves the conversation to the left, and if people are dedicated and committed to organizing, the local, state, and national candidates he inspires will move it further to the left still. You got any better suggestions?

Listen, commie nerds. My people. I love you guys. I really do. And I want to build a better world. Not incrementally, either, but with the kind of sweeping and transformative change that is required to fix a world of such deep injustice. But seriously: none of us are ever going to take to the barricades. And it’s a good thing, too, because we’d probably find a way to shoot in the wrong direction. I can’t dribble a basketball without falling down. American socialism is largely made up of bookish dreamers. I love those people but they’re not for fighting. And even if you have a particular talent for combat, you’re looking at fighting the combined forces of Google, Goldman Sachs, and the defense industry. Violence is hard. Soldiering is hard. In an era of the NSA and military robots, it’s really, really hard. “Should we condone revolutionary violence?” is dorm room, pass-the-bong conversation fodder, of precisely the moral and intellectual weight of “should we torture a guy if we know there’s a bomb and we know he knows where it is and we know we can stop it if we do?” It’s built on absurd hypotheticals, propped up by the power of anxious machismo, and undertaken to no practical political end. It’s understandable. I get it, I really do. But it’s got nothing to do with us. The only way forward is the grubby, unsexy work of building coalitions and asking people to climb on board.

### AT: No law

#### Legal reform is possible -- eschewing contingent harm reduction reinforces the violence they critique.

Hanna, 18—teaches courses in Aboriginal law and Indigenous laws methodology at the University of Victoria (Alan, “SPACES FOR SHARING: SEARCHING FOR INDIGENOUS LAW ON THE CANADIAN LEGAL LANDSCAPE,” University of British Columbia Law Review. 51.1 (Jan. 2018): p105, dml)

Substantive meaning in Indigenous laws will come from substantive change. According to Canadian legal scholar, Robert Samek, meaningful and effective legal reform requires serious commitment to effect proper social change:

Changing the letter of the law does not of itself cure one social ill. It merely changes the scenery on the stage; the play still goes on. [T]he greatest illusion of all is to think of the present as fixed, as a piece of machinery which can be kept going forever by replacing a few parts here and there, and patching up the test. Any social fabric can only take so much patchwork. Beneath every reforming patch yawns a tear. (173)

Significant change comes from legal reform, rather than tweaking an already archaic, inflexible, dilapidated system that has too many patches. The question is whether people are capable of change that will align contemporary society with the values and beliefs Canadians hold of ourselves. In the Tsilhqot'in BCSC trial decision, Vickers J contemplated what the consequence might be if the Crown suddenly admitted the Tsilhqot'in had existed on their territory for 200 years: "the real question to be answered . . . concerned the consequences that would follow such an admission." (174) Would the result be consequential? If so, for whom? Does doing nothing not continue the consequence of colonization on First Nations and their citizens, as Vickers J held: "[a]s a consequence of colonization and government policy, Tsilhqot'in people can no longer live on the land as their forefathers did"? (175)

So what of change ? What does it mean to reform Canada's legal system so Indigenous laws can participate in a meaningful way ? This is the topic of another paper. However, acknowledging the squatter state's unlawful presence and authority on the land would be a signal toward seeking meaningful reconciliation. Rejecting the suffocating and untenable test for title in BC is a starting point (a test Canada would fail). (176) Accept that BC is unceded Indigenous territoty, meaning Aboriginal title is everywhere and unextinguished--de facto title. This would require giving meaning to shared or joint jurisdiction in a manner that First Nations propose, according to their legal processes. Begin meaningful consultations with First Nations to develop legislation that sets out how to proceed when wanting to enter First Nations' territories through a process that includes respect, reciprocity, relationality, consent, and sharing. This would be a place to start.

The prospect of Nisga'a being granted limited governing powers was considered by some to potentially cause "a profound constitutional upheaval," which we now know simply was not true. (177) Initiating significant change that serves to decolonize the state and its practices will be significant, but the world will not end, the economy will not collapse, people will not be run off the lands, although the humility in accepting these possibilities is a part of what seeking true reconciliation requires. Much harm has been done for a very long time. Change will not be simple or easy, but the results will provide its own reward (e.g. strengthened values and beliefs, strengthened economy, enriched and more sustainable environmental practices, respectful relationships).

#### Prefer tactical harm reduction to totalizing theories of race.

**Smucker ’14** [Jonathan; 2014; Ph.D in Sociology from UC Berkeley; Wagingnonviolence, “The danger of fetishizing revolution,” wagingnonviolence.org/feature/danger-fetishizing-revolution/]

Perhaps it is a bit unfair. It depends on whether we mean revolution as horizon or revolution as apocalypse. Do we imagine a revolutionary restructuring of power relations in society as an all-or-nothing totalizing moment or as an aspirational horizon, something to always be moving towards? If the former, then what incentive do we have to study the details of the terrain where we are presently situated? Why would we bother to strategize about overcoming the particular obstacles that block our way today, if we believe that the accumulation of all obstacles will ultimately add up to a grand crisis that will somehow magically usher in a new era? Believing that things will “have to get worse before they get better,” we may become disinterested in — perhaps even sabotaging of — efforts to improve real-life conditions in the here and now. After all, why put a band-aid on a gaping wound? Why prolong the life of an oppressive system? With such logic we can excuse ourselves from the trouble of getting to know our political terrain. It is, after all, the very mess we hope to avoid.

If, on the other hand, we imagine revolutionary change as a horizon toward which we orient ourselves, such a vision may be of use, so long as it grounds us in a political struggle in the here and now.

Still, let us further interrogate our attachment to the word revolution — even as a horizon. Many of my friends like to think of themselves and their efforts as revolutionary. I am tempted to fancy myself a revolutionary too — it sounds sexy enough — but what does this label really mean today? In the present context in the United States, the words revolution and revolutionary have been mostly emptied of their contents. Their meanings are more than slightly ambiguous. Proponents of revolution range from radical Leftists to libertarians and members of the Tea Party. What does advocating for revolution mean then? Is it not merely a more extreme and totalizing way of advocating for “change”? The question begs itself: What kind of change? And revolution for what?

Answering these questions will provide us with our political content. Revolution is not itself the content, but (among) the means we might possibly use to deliver the content. If we are to articulate a horizon to guide our day-to-day political struggle, shouldn’t that horizon be the content of a social vision, rather than scenes from the battles we must fight along the way?

Even as a means, revolution is vague and less than instructive. Today in the context of the U.S. Left, the label revolutionary serves largely as a reference to inspirational historical moments — and contemporary moments in other countries — and as a signifier of belonging, or “getting it,” within radical subcultures, more than it suggests an instructive path or framework for social, economic and political change in our context. When we say “revolution” today — if we mean something beyond an empty signifier of subcultural belonging — we are mostly, vaguely, referring to the overthrow of governments in specific historical circumstances. Social justice-directed revolutions have overthrown monarchies, feudal systems and colonial governments, but the “revolutionary” forces that have overthrown democratic elected governmentsin the past century — however much we may critique how democratic they actually are — have by and large been right-wing reactionary forces, usually through military coups.

On the other hand, one could tweak the definition of revolution to make it fit the context of advanced capitalist democracies; one could argue that revolution is about overthrowing the current order. Presently, we are subject to an oppressive capitalist order, and we are working to overthrow that regime. I am fine with the signifying label revolutionary being attributed to me if it is with this intended meaning. But still, what is the point of the label? What is the value added? What does it do for us, besides earning us cool pointsin our little “revolutionary” social clubs? What does it accomplish politically?

What am I getting at here? Why does this matter? It matters because, as an ambiguous signifier of belonging within political groups, the word revolutionary can privilege certain tactics and approaches over others. As a signifying label, revolutionary is meant to distinguish a change agent within a broader field of change agents — to marginally differentiate oneself and one’s group within a broader alignment of groups working for social justice-directed change — perhaps even more than it is meant to distinguish us from all-out defenders of the status quo. As such, the posed opposite of revolutionary is less the status quo or an elite power than it is a reform approach to change. In extreme form, this tendency lumps “reformists” together with the status quo and its defenders into one big impenetrable monolith that we “revolutionaries” are unequivocally against. It sets up a false dichotomy of revolution versus reform — a framework that may sometimes hold merit or useful warnings, but that can be paralyzing without further contextualization, clarification and nuance.

Where revolution serves as an ambiguous signifier of belonging to radical subcultures, group members may be inclined to do things, to say things, even to wear things that seem “revolutionary,” and to distance themselves from whatever reeks of “reformism,” often including the efforts and organizations of key social blocs that any serious “revolutionary” project must ultimately include in its political alignment. It is true that, in today’s landscape, such efforts and organizations tend to have limited goals and to win compromised victories, if they win at all. Dismissing such reform efforts as a general principle, however, does not somehow make one a revolutionary. It is, rather, a sign of purism, fatalism and apocalyptic thinking — and often of an abstract “politics” that emerges from a disconnected social position of relative privilege. This amounts to revolution as apocalypse; what is needed is a cataclysmic, nevermind catastrophic, reset. Any improvement in the situations of real people is dismissed, perhaps even denounced, as prolonging the life of “the system.”

Of course, not everyone who uses the word revolution is guilty of all or any of the above. After all, it is mostly an empty signifier. Advertisers love to brand the shit they’re selling as “revolutionary” too. The point here is that there can be harm in framing our social, economic and political change efforts in the United States today in a term whose applicability is historically contingent — at least if we lack an analysis of this contingency. The word revolution conjures the idea of overthrowing a government, and as such is descriptive of a particular model and moment of transformation that mostly applies to the radical overhaul of particular kinds of governments in particular historical contexts, namely feudalism, monarchies, dictatorships and colonial governments. As such, our attachment to the abstract idea of revolution might be something like holding a hammer and perceiving every problem one encounters as a nail.

Moreover, even in historical revolutionary contexts, revolution has never been a panacea. Problems and injustices still have to be struggled against. “The revolution” is a moment, certainly an important one, but in an ongoing political struggle with no end point. Most of the moments in that struggle are far less spectacular than the moment of dramatic upheaval. In The Cultural Contradictions of Capitalism, sociologist Daniel Bell describes how “the real problems arise the ‘day after the revolution,’ when the mundane world again intrudes upon consciousness.” Bell argues that “Our fascination with the apocalypse blinds us to the mundane: the relations of exchange, economic and social; the character of work and occupations; the nature of family life; and the traditional modes of conduct which regulate everyday life.” Social change is “much slower, and the processes more complex than the dramaturgic mode of the apocalyptic vision, religious or revolutionary, would have us believe.”

If we project a totalizing imaginary-future moment onto our own situation, we may also fixate on present-day moments that seem to carry the essence of our ideas about such an imagined “revolution.” We may elevate ritualistic signifiers of revolutionary zeal above winning real-world victories and above the patient construction of social bases of collective power that could win bigger, more systemic — we might even say revolutionary — changes.

Revolution as apocalypse or as a totalizing moment is highly related to utopianism. The practical implications of the two concepts are equivalent. With both orientations a post-revolutionary, utopian vision of the future can become the distorted lens through which to view the messy present. Nothing in present society, including stepping-stone victories, can measure up to utopian standards. It is as if the revolutionary or utopian “dreamer” is afraid of contaminating the purity of his or her vision with the grit of real life. In reality, the seeds of society’s “redemption” — the fits and starts of social justice struggles — are always manifest in the fabric of what already exists in society. The job of effective change agents is to identify and encourage these fits and starts; to awaken and empower the “better angels” that we find in our histories and our contemporary cultures; to claim and contest both history and culture, rather than try to build from scratch in the ashes of an imaginary-future apocalypse.

This is not at all to suggest that we give up on big structural changes — even including ultimately ending capitalism. To the extent that “revolutionary” means “big structural changes” I am all for being revolutionary. The problem here is not the radicalness of our end goal; the problem is all-or-nothing apocalyptic thinking about political change in the meantime. If the structures of society were to collapse tomorrow, why would society reconstruct itself in a way that substantially differs from its present structure? A revolutionary social justice movement will not magically ascend in the wake of catastrophe.