## 1

#### Industrialized medicine acts as a vector of domestication in order to inscribe gender onto flesh – creating an infinite violence that emerges from the privatization of care

Baedan 14

Baedan, 2014, "Against the Gendered Nightmare," Anarchist Library, https://theanarchistlibrary.org/library/baedan-against-the-gendered-nightmare

In a world that lacks the abstract ideals, directionality and universal moralism of His-storical thought, stories are useful in that they tell us discreet lessons that might assist us in our day to day conflicts. Only when we stop trying to decipher the Truth of His-story, can we actually notice the subtle web of meanings and messages hidden between the stories at our disposal. Here are a few we’ve noticed: Most of the stories about the imposition of gender are also stories about the creation of institutions and the flight of individuals from them. At times called enclosure or industrialism, these institutions tend to separate us from the vast experiences of life. Once we could find our own food, make our own clothes, discover our own sexual practices, heal ourselves and commune directly with the wild spirits. Now all of these experiences are mediated through farms, schools, churches, and hospitals. The institutionalization of the world could be understood as the material armors of the spiritual poverty imposed through domestication. This institutionalization is always violent. The ascendency of institutional medicine, for example, emerges out of the ashes of herbalists burnt alive by witch hunters. Gender, is constantly re-defined and re-inscribed through these institutions. Foremost among them is the Family. The enclosure of forests and fields corresponds to an enclosure of peoples’ means of care and survival into this private familial unit. The family becomes the primary unit for enforcing private property, enforcement of discipline, and policing of sexuality.

#### The aff’s push for limited IP waivers envisions a world for the child that always leaves the kweer behind. Saving the child, saving the future inherently reproduce antikweer violence by attempting to eliminate or assimilate that which is a threat to society itself. They make the same mistake as all political organizations - they build the social order in order to solve a lack present inherently within it, unknowingly reproducing the harms they aim to solve. No future exists for the kweer

baedan 12 (baedan. “Journal of Queer [kweer] Nihilism.” The Anarchist Library, 2012, theanarchistlibrary.org/library/baedan-baedan.)VHS//RBA bracketed for inclusive language No page numbers its an article

Edelman’s critique of politics begins with the figure of the Child. All political positions, he argues, represent themselves as doing what is best for the children. Politicians, whatever their parties or leanings, universally frame their debates around the question of what policies are best for the children, who keeps the Child safest, or what type of world we want to be building for our children. The centrality of the Child in the field of the political is not limited to electoral politics or political parties. Nationalist groups organize themselves around a necessity to preserve a future for their children, while anarchist and communist revolutionaries concern themselves with revolutionary organizing meant to create a better world for future generations. Politicians concern themselves with different children depending on their varying from ideologies, but the Child stays constant as a universal Möbius strip, inverting itself and flipping so as to be the unquestioned and untouchable universal value of all politics. Politics, however supposedly radical, is simply the universal movement of submission to the ideal of the future—to preserve, maintain and upgrade the structures of society and to proliferate them through time all for the sake of the children. The Child must always name the horizon and the beneficiary of every political project.¶ It is for this reason that Edelman contends that queer [kweer]ness finds itself missing from all political discourse:¶ For the liberal’s view of society, which seems to accord the queer [kweer] a place, endorses no more than the conservative right’s the queer [kweer]ness of resistance to futurism and thus the queer [kweer]ness of the queer [kweer]. While the right wing imagines the elimination of queer [kweer]s (or of the need to confront their existence), the left would eliminate queer [kweer]ness by shining the cool light of reason upon it, hoping thereby to expose it as merely a mode of sexual expression free of the all-pervasive coloring, the determining fantasy formation, by means of which it can seem to portend, and not for the right alone, the undoing of the social order and its cynosure, the Child. Queer [kweer]ness thus comes to mean nothing for both: for the right wing, the nothingness always at war with the positivity of civil society; for the left, nothing more than a sexual practice in need of demystification.¶ The Child, of course, has very little to do with real children. Like all people, children are enslaved under the political order of the state and capital, expected to bear the burden of being the innocent beneficiaries of political initiatives. No, rather the Child is the fantastic symbol for the eternal proliferation of class society. The Child represents the succession of generations and the continuation of this society beyond the lifespans of its living members. All politics, being concerned primarily with the Child, then reveal themselves to be only ever a process by which to manage and secure the continued existence of society. As enemies of society, we are also enemies of politics.¶ To quote Edelman:¶ The fantasy subtending the image of the child invariably shapes the logic within which the political itself must be thought. That logic compels us, to the extent that we would register as politically responsible, to submit to the framing of political debate—and, indeed of the political field—as defined by the terms of what this book describes as reproductive futurism: terms that impose an ideological limit on political discourse as such, preserving in the process the absolute privilege of heteronormativity by rendering unthinkable, by casting outside the political domain, the possibility of a queer [kweer] resistance to this organizing principle of communal relations.¶ If the varying discourses of politics are only ever about the Child (as society’s future), queer [kweer]ness must be anti-political because it marks a fundamental interruption of the societal norms and apparatuses that exist to mandate the reproduction the Child. Yes, queer [kweer] sex can be non-reproductive sex, but we cannot define queer [kweer]ness through such overly-simple and naturalistic logics. Queer [kweer]ness, beyond being the negation of the heteronormative family matrix, must also be practiced as a willful refusal of the political imperative to reproduce class society. In a world where all social relations are enchanted by our obligation to the Child as the future of the social order, we must break those communal relations and break the stranglehold of politics over our daily lives. Queer [kweer]ness must be an outside to politics, an antagonism against the political, or it isn’t queer [kweer] at all.¶ By Edelman’s account:¶ Queer [kweer]ness names the side of those “not fighting for the children.” The side outside the consensus by which all politics confirms the absolute value of reproductive futurism. The ups and downs of political fortune may measure the social order’s pulse, but queer [kweer]ness, by contrast figures outside and beyond its political symptoms, the place of the social order’s death drive: a place, to be sure, of abjection expressed in the stigma, sometimes fatal that follows from reading that figure literally… More radically, though, as I argue here, queer [kweer]ness attains its ethical value precisely insofar as it accedes to that place, accepting its figural status as resistance to the viability of the social while insisting on the inextricability of such resistance from every social structure.¶ Queer [kweer]ness, as we’ll thus conceive it, is not locked in a dialectical battle of queer [kweer] identity versus normative identities, nor of queer [kweer] politics versus heteronormative politics. Rather our queer [kweer] opposition is leveled against the false oppositions which politics always serves to represent. Queer [kweer]ness marks the space which is outside and against political logic. Insurrectionary anarchists are no strangers to this space. While leftist anarchists articulate their activity as politics, insurrectionary anarchy doesn’t concern itself with such abstractions. We flee from all political roles which we’re called upon to symbolize, whether those constructed by the media or by those self-appointed leaders of struggles. Unlike most other self-declared revolutionaries, we are not fighting for a utopian future (communist, anarchist, cybernetic). We are not looking for victories that will be enjoyed by symbolic children in a future society. We are not fighting for an abstract ideal. We are not creating a world, and we are not motivated by anything outside of ourselves. Our anti-political practice, our attempts at insurrection, emerge purely from the context of an awareness of our daily lives. If we speak of social war, it is because we’re experimenting with types of relationships and combat in order to attack the social order.¶ In order to genuinely break from politics, we must develop forms of struggle that shatter the illusions with which politics are made necessary. To quote Edelman again:¶ Politics names the social enactment of the subject’s attempt to establish the conditions for [an] impossible consolidation by identifying with something outside itself… deferred perpetually of itself. Politics, that is, names the struggle to effect a fantasmatic order of reality in which the subject’s alienation would vanish into the seamlessness of identity at the endpoint of the endless chain of signifiers lived as history.¶ Politics is such a sinister force because it is moved by an alienation and lack rooted in society’s foundations. To remedy this ennui, individuals turn to politics to discover some universal truth to struggle for—a comfortable abstraction to fill the void in their experience. This is a paradox, of course, as this alienation is intrinsic to capitalist society, and politics can only ever reproduce that society, and therefore its concomitant misery. The fantasy of politics promises to suture one’s empty subjectivity to some abstraction outside of oneself in an attempt to find some meaning, to situation oneself within history, to really do something. Like a form of performance art, politics acts as a great representation of resistance to society, yet as mere representation remains inseparable from the symbolic order. The reality of politics is that it offers nothing; a nothingness that corresponds to the meaninglessness of social life.¶ An insurrectionary, queer [kweer] anti-politics functions to interrupt the closed circuitry of emptiness-politics-emptiness. Halting the ceaseless pursuit of a better world for the Child, our project centers itself on immediate fulfillment, joy, conflict, vengeance, conspiracy and pleasure. Rather than politics, we engage in social war. Without demands, we expropriate what we desire. Instead of representation, we rely on autonomous self-organization. We do not protest, we attack. As with our queer [kweer]ness, our anti-politics strives to escape political identification or ideological attachment to this or that political subjectivity.¶ Acceding to this figural identification with the undoing of identity, which is also to say with the disarticulation of social and symbolic form, might well be described as politically self-destructive… but politics (as the social elaboration of reality) and the self (as mere prosthesis maintaining the future for the figural child), are what queer [kweer]ness, again as figure, necessarily destroys—necessarily insofar as this “self” is the agent of reproductive futurism and this “politics” the means of its promulgation as the order of social reality… Political self-destruction inheres in the only act that counts as one; the act of resisting enslavement to the future in the name of having a life.

#### The Role of the Judge is to embrace individual resistance to futurism – our bodies have become the playing field upon which reason and ethic is staged in opposition to the desire of our flesh.

baedan 12 (baedan. “Journal of Queer Nihilism.” The Anarchist Library, 2012, theanarchistlibrary.org/library/baedan-baedan.)//LK

The outcome is reminiscent of the medieval skirmishes between angels and devils for the possession of the departing soul. But the conflict is now staged within the person who is reconstructed as a battlefield, where opposite elements clash for domination. On the one side, there are the forces of Reason: parsimony, prudence, sense of responsibility, self-control. On the other, the low instincts of the Body: lewdness, idleness, systematic dissipation of one’s vital energies. The battle is fought on many fronts because Reason must be vigilant against the attacks of the carnal self, and prevent “the wisdom of the flesh” from corrupting the powers of the mind. In the extreme case, the person becomes a terrain for a war of all against all.¶ Others have described this ‘war of all against all’ as the fundamental condition of an omnipresent civil war that is consistently raging, permeating the social order and interrupting the myth of social peace. This narrative is quite similar to a conception of queerness developed by Hocquenghem and later elaborated by Edelman, which understands queerness to be an ever-present violence, a potential which any body is capable of. If we follow Federici here in understanding the conflict between Reason (and its servant: language) and the Passion of the body, we can situate our queerness as a partisan force within this battle. Federici goes on:¶ This conflict between Reason and the Body, described by the philosophers as a riotous confrontation between the better and the lower sorts… the battle which 17th century discourse on the person imagines unfolding in the microcosm of the individual has arguably a foundation in the reality of the time. It is an aspect of that broader process of social reformation, whereby, in the age of reason, the rising bourgeoisie attempted to remold the subordinate classes in conformity with the needs of the developing capitalist economy… That battle against the body that has become its historic mark… The reform of the body is at the core of the bourgeois ethic because capitalism makes acquisition “the ultimate purpose of life,” instead of treating it as a means for the satisfaction of our needs, thus it requires that we forfeit all spontaneous enjoyment of life.¶ Here we are reminded of Hocquenghem’s explanation of jouissance as “blissful enjoyment of the present.” Federici’s historicism temptingly offers a historical-material structure for the whole of our critique. The desperate struggle of bodies against the future and in pursuit of jouissance is the same struggle which opposes capitalist development from the beginning. The conquest of Reason over Passion corresponds to the domination of the bourgeois order over the rebel body, because it is precisely the same struggle, manifest in each and every body.¶ The body, emptied of its occult forces, could be caught in a system of subjection, whereby its behavior could be calculated, organized, technically thought and invested of power relations… The development of the body into a work-machine, [was] one of the main tasks of primitive accumulation…. Like the land, the body had to be cultivated and first of all broken up, so that it could relinquish its hidden treasures. For while the body is the condition of the existence of labor-power, it is also its limit, as the main element of resistance to its expenditure. It was not sufficient then, to decide that in itself the body had no value. The body had to die so that labor-power could live.¶ Federici describes how this disciplinary war was waged so as to separate bodies from their capacity for jouissance, in order to commodify them as labor-power.¶ By transforming labor into a commodity, capitalism causes workers to submit their activity to an external order over which they have no control and with which they cannot identify. Thus, labor process becomes a ground of self-estrangement… This too leads to a sense of dissociation from the body, which becomes reified, reduced to an object with which the person ceases to be immediately identified.¶ It is this fundamental estrangement, located in the process of primitive accumulation which she says forms the basis of our contemporary alienation from our bodies, our terminal enslavement to abstraction and language.¶ Federici explains that this disciplinary violence has always focused on the eradication of non-productive ways of being:¶ The violence of the ruling class aimed at a radical transformation of the person, intended to eradicate in the proletariat any form of behavior not conducive to the imposition of a stricter work-discipline… Nakedness was penalized, as were many other unproductive forms of sexuality and sociality.¶ Here we see the tyranny of the Child traced back through time and embedded in language itself. The assault upon the body by Reason and Language has always been to eliminate all non-productive desires and capacities. Reproductive futurism then becomes the framework through which certain forms of social engagement are militarily enforced while others are eradicated.¶ This militaristic and scientific approach to disciplining the body functions through the body’s capture within language. Federici argues that “in mechanical philosophy we perceive a new bourgeois spirit that calculates, classifies, makes distinctions, and degrades the body only in order to rationalize its faculties, aiming not just at intensifying its subjection but at maximizing its social utility.” Here the linguistic and discursive institutions of Identity and Sexuality function alongside all other racializing and gendering apparatuses encode alienated bodies with particular values and functions—values and functions which serve to reproduce society in every body and every instant. Federici argues that this is necessary for the regime of any capitalist future.¶ From a capitalist viewpoint… here the future can be anticipated only insofar as the regularity and immutability of the system is assumed; that is, only insofar as it is assumed that the future will be like the past, and no major change, no revolution, will upset the coordinates of individual decision-making… The fixation of the body in space and time, that is, the individual’s spatio-temporal identification, is an essential condition for the regularity of the work-process.¶ She continues later:¶ Also from the point of view of the abstraction process that the individual underwent in the transition to capitalism, we can see that the development of the human machine was the main technological leap, the main step in the development of the productive forces that took place in the period of primitive accumulation. We can see, in other words, that the human body and not the steam engine, and not even the clock, was the first machine developed by capitalism.¶ If Federici is correct, if our very bodies have been destroyed and re-made into work-machines, and if these machines are the original machines which constitute the capitalist social order, then we must take our very bodies as machines to be sabotaged; our very corporeality, as Hocquenghem argues, must be the field of combat.¶ The battlefield is within each of us. The war of passion against reason, beyond being an external struggle must also be a struggle we wage against ourselves. We must struggle no less violently within ourselves as individuals than we struggle against the external enemies who seek to enforce the disciplinary regime of society’s future. In the list of managers and police with whom we battle, we must include the managerial and policing apparatuses which operate in our very being.

#### **The alternative is to embrace unintelligibility – any dialogue, concession, or identification with or for the state just reproduces the social order and its violence**

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For Edelman, queer [kweer]ness is the ineffable which escapes the ability to be named: “queer [kweer]ness as name may well reinforce the symbolic order of naming, but it names what resists, as signifier, absorption into the Imaginary identity of the name.” And so this critique of the naming and subsequent inclusion of deviant subjects must call into question the structures which produce normative and deviant subjects from the beginning. Our struggle cannot be one for this or that identity, but rather against the representative politics of Identity altogether.¶ Edelman:¶ The agent responsible for effecting their destruction has been given many names:… global extermination of meaning… gravediggers of society… whatever refuses to allow parents to cherish their children… homosexuals… the death drive and the Real of jouissance…. So [queer [kweer]ness] knots together these threats to reproductive futurism. No political catachresis, such as Butler proposes, could forestall the need to constitute, then, such a category of [queer] [kweer]ness. For even though, as Butler suggests, political catachresis may change over time the occupants of that category, the category itself… continues to mark the place of whatever refuses intelligibility.¶ And so the question that is posed concerns the refusal of intelligibility. Contemporary arrangements of power have abolished the silence that once accompanied the dark ineffable desires of queer [kweer]ness and destruction. Rather than an injunction against speech, the power of biopolitical democracy is specifically to make us speak. Cybernetic relationships ensure that each of us as a speaking subject has the ability to name ourselves, aestheticize ourselves, deploy blogs and social networks and avatars to represent ourselves. The contemporary function of power can be understood as one unending move toward intelligibility—one of moving what had been blind spots into new subjects to be marketed; new identities to be surveilled.¶ We are captured by the state every time we make ourselves intelligible. Whether demand, political subject, or formal organization, each intelligible form can be recuperated, represented, or annihilated.¶ Our project then must proceed in the recognition of the paradox that its being made truly intelligible—even by us, even to us—would be its defeat. We must seize the possibility of a life neither constrained by nor produced through the omnipresence of capital and state. It is precisely by the fact that words fail to describe it and programs fail to bring it about that we can know this life. As such, any imperative to put this ineffable project into words must be understood as a compromise of what must be an uncompromising project. There is no language which can make our intentions comprehensible to the social order. Any move toward such comprehensibility would be a betrayal of the specific antagonistic character of our project against that social order.¶ Camatte elaborates on this point:¶ This is a revolution of life itself, a search for another way of living. Dialogue should be concerned only with the plans and ideas for realizing this desire. No dialogue can take place between the social order and those who are to overthrow it. If dialogue is still seen as a possibility, then this would be an indication that the movement is faltering. Underlying all this is a profoundly important phenomenon: all human life from the very beginning of its development within capitalist society, has undergone an impoverishment. More than this, capitalist society is death organized with all the appearances of life. Here it is not a question of death as the extinction of life, but death-in-life, death with all the substance and power of life. The human being is dead and is no more than a ritual of capital … but to those great number of smugly complacent people, who live on empty dramas and fantasies, this demand, this passionate need, just seems irrational, or, at best, a paradise that is by definition inaccessible.¶ And so a queer [kweer]ness which opposes society must embody the death drive of what has become death-in-life, the intrinsic negation of a social order predicated on the use of life for its ends. In this project, we have nothing to gain by speaking the language of, or making demands to, the existent power structures. It is specifically these structures’ ability to comprehend antagonism that makes intelligibility synonymous with recuperation.¶ Edelman returns to Butler:¶ Small wonder then that her subversive act, her re-articulation of the norm, while promising to open what Butler calls a radical new field of the human, returns us, instead, to familiar forms of a durable liberal humanism whose rallying cry has always been, and here remains “the future.”¶ But what if it didn’t? What if … all those doomed to ontological suspension on account of their unrecognizable and, in consequence, unlivable loves, declined intelligibility, declined to bring [themselves], catachrestically, into the gambit of future meaning—or declined, more exactly, to cast off the meaning that clings to those social identities that intelligibility abjects…¶ Such [queer [kweer]s] would insist on the unintelligible’s unintelligibility, on the internal limit to signification and the impossibility of turning Real loss to meaningful profit in the Symbolic without its persistent remainder: the inescapable Real of the death drive. As embodiments of unintelligibility, of course, they must veil what they expose, becoming, as figures for it, the means of its apparent subjection to meaning. But where Butler… conduces to futurism’s logic of intelligibility by seeking no more than to widen the reach of what it allows us to grasp, where she moves, by way of the future, toward the ongoing legitimation of social form through the recognition that is said to afford “ontological certainty and durability” [queer [kweer]ness], though destined, of course, to be claimed for intelligibility, consents to the logic that makes it a figure for what meaning can never grasp. Demeaned, it embraces de-meaning as the endless insistence of the real that the symbolic can never master for meaning now or in the future.¶ Here Edelman invokes the Lacanian concept of the Real, or that which escapes articulation through symbolic structures. The Real is the indescribable and unnameable characteristic of our lived experience. The Real is the irreducible essence of revolt, pleasure, conspiracy and joy which comprises our project and which continually evades representation by politicians or surveillance by police apparatuses. To the contrary, Intelligibility offers two options: legitimization and democratic inclusion, or delegitimization and repression.

#### Agential Fantasy DA

#### Nothing about voting aff actually does anything in the real world, fiat disconnects you from your agency because you’re pretending to be something else

Polson 2012 (Dana Roe Polson, Co-Director, teacher, founder of ConneXions Community Leadership Academy, “Longing for Theory: Performance Debate in Action”, http://media.proquest.com/media/pq/classic/doc/2719387941/fmt/ai/rep/NPDF?\_s=QsK9GR%2Bx6bq%2BwLv%2BLzDyWm%2BcJH8%3D, RH) \*\*Edited for gendered language

One of the ways performance debaters see themselves *doing something* as opposed to *just talking* is a concept they call *in-round solvency*. If something about a debater’s argument is addressed and solved for in the round, then she has *in-round solvency*. The concept of *in-round solvency* only makes sense in non-traditional speeches; traditional debaters would not claim in-round solvency for an argument that depends on the US government to enact. While fiat says that for the sake of the debate round, we will all pretend that there would be no barriers to enact the plan (the opponents cannot argue that there’s no way that would be approved in the real world; fiat says that we assume the plan could be approved), no one is saying that the round itself does enact. **The power of discourse, then, is different in performance debate arguments because the actor is not the USFG, but, in some cases, the debaters themselves; the focus is often not the *state* but the *state of debate*. There is a radical shift in who has potential agency**. As Janice Cooper says, “We talk about specifically affirming... ourselves in this round, like that’s an act of actual in-round solvency, because we in this round are like the most oppressed....” The response of more traditional debaters to performance debate arguments is often to downplay or avoid them. Janice says that she and her partner make “real” arguments, and she hopes that “the debate community will start to realize that, like, we’re not just talking,like we’re actually making real arguments they should actually try to prepare for and actually look out for” (Cooper, interview, p. 15).¶ **I heard more than once the argument that talking about issues of race during a debate round, where it could actually have an impact, is different from talking about** (in the sense of pretending to make) foreign policy changes. I think that individual agency is the key to the argument here. The playing-the-game takes away from individual agency; not playing a game, i.e., performance debate, asserts individual agency and is therefore doing something. Kenneth explained this position:¶ A lot of teams like to participate in some hypothetical world where...the affirmative pretends to be the federal government, and ... when the judge signs his ballot affirmative, the plan gets passed, this problem gets solved, and, ... like we stop nuclear war. When the judge signs the ballot, nuclear war gets stopped. And I guess the problem with that is like back to like the objectivity thing, it disconnects you from the real world. Like **it takes away from what you as an individual person can do cause you’re constantly pretending to be something that you’re not.** And so, like, like what [theorist] Carrie Crenshaw says, like using your individual agency to fix problems that you know you have control over. .... By us taking advantage of our individual agency and talking about whiteness and bringing it to the forefront of discussions, like, we [he and his debate partner] do more action than you [an opponent] do, even if you pretend to do something. (Kenneth, interview, p. 19)

## 2

#### Climate Patents and Innovation high now and solving Warming but patent waivers set a dangerous precedent for appropriations - the mere threat is sufficient is enough to kill investment.

Brand 5-26, Melissa. “Trips Ip Waiver Could Establish Dangerous Precedent for Climate Change and Other Biotech Sectors.” IPWatchdog.com | Patents & Patent Law, 26 May 2021, www.ipwatchdog.com/2021/05/26/trips-ip-waiver-establish-dangerous-precedent-climate-change-biotech-sectors/id=133964/. //sid

The biotech industry is making remarkable advancestowards climate change solutions, and it is precisely for this reason that it can expect to be in the crosshairs of potential IP waiver discussions. President Biden is correct to refer to climate change as an existential crisis. Yet it does not take too much effort to connect the dots between President Biden’s focus on climate change and his Administration’s recent commitment to waive global IP rights for Covid vaccines (TRIPS IP Waiver). “This is a global health crisis, and the extraordinary circumstances of the COVID-19 pandemic call for extraordinary measures.” If an IP waiver is purportedly necessary to solve the COVID-19 global health crisis (and of course [we dispute this notion](https://www.ipwatchdog.com/2021/04/19/waiving-ip-rights-during-times-of-covid-a-false-good-idea/id=132399/)), can we really feel confident that this or some future Administration will not apply the same logic to the climate crisis? And, without the confidence in the underlying IP for such solutions, what does this mean for U.S. innovation and economic growth? United States Trade Representative (USTR) [Katherine Tai](https://www.ipwatchdog.com/2021/05/05/tai-says-united-states-will-back-india-southafrica-proposal-waive-ip-rights-trips/id=133224/) was subject to questioning along this very line during a recent Senate Finance Committee hearing. And while Ambassador Tai did not affirmatively state that an IP waiver would be in the future for climate change technology, she surely did not assuage the concerns of interested parties. The United States has historically supported robust IP protection. This support is one reason the United States is the center of biotechnology innovation and leading the fight against COVID-19. However, a brief review of the domestic legislation arguably most relevant to this discussion shows just how far the international campaign against IP rights has eroded our normative position. The Clean Air Act, for example, contains a provision allowing for the mandatory licensing of patents covering certain devices for reducing air pollution. Importantly, however, the patent owner is accorded due process and the statute lays out a detailed process regulating the manner in which any such license can be issued, including findings of necessity and that no reasonable alternative method to accomplish the legislated goal exists. Also of critical importance is that the statute requires compensation to the patent holder. Similarly, the Atomic Energy Act contemplates mandatory licensing of patents covering inventions of primary importance in producing or utilizing atomic energy. This statute, too, requires due process, findings of importance to the statutory goals and compensation to the rights holder. A TRIPS IP waiver would operate outside of these types of frameworks. There would be no due process, no particularized findings, no compensationand no recourse. Indeed, the fact that the World Trade Organization (WTO) already has a process under the TRIPS agreement to address public health crises, including the compulsory licensing provisions, with necessary guardrails and compensation, makes quite clear that the waiver would operate as a free for all. Forced Tech Transfer Could Be on The Table When being questioned about the scope of a potential TRIPS IP waiver, Ambassador Tai invoked the proverb “Give a man a fish and you feed him for a day. Teach a man to fish and you feed him for a lifetime.” While this answer suggests primarily that, in times of famine, the Administration would rather give away other people’s fishing rods than share its own plentiful supply of fish (here: actual COVID-19 vaccine stocks), it is apparent that in Ambassador Tai’s view waiving patent rights alone would not help lower- and middle-income countries produce their own vaccines. Rather, they would need to be taught how to make the vaccines and given the biotech industry’s manufacturing know-how, sensitive cell lines, and proprietary cell culture media in order to do so. In other words, Ambassador Tai acknowledged that the scope of the current TRIPS IP waiver discussions includes the concept of forced tech transfer. In the context of climate change, the idea would be that companies who develop successful methods for producing new seed technologies and sustainable biomass**,** reducing greenhouse gases in manufacturing and transportation, capturing and sequestering carbon in soil and products, and more, would be required to turn over their proprietaryknow-how to global competitors. While it is unclear how this concept would work in practice and under the constitutions of certain countries, the suggestion alone could be devastating to voluntary internationalcollaborations. Even if one could assume that the United States could not implement forced tech transfer on its own soil, what about the governments of our international development partners? It is not hard to understand that a U.S.-based company developing climate change technologies would be unenthusiastic about partnering with a company abroad knowing that the foreign country’s government is on track – with the assent of the U.S. government – to change its laws and seize proprietary materials and know-how that had been voluntarily transferred to the local company. Necessary Investment Could Diminish Developing climate change solutions is not an easy endeavor and bad policy positions threaten the likelihood that they will materialize. These products have long lead times from research and development to market introduction, owing not only to a high rate of failure but also rigorous regulatory oversight. Significant investment is required to sustain and drive these challenging and long-enduring endeavors. For example, synthetic biology companies critical to this area of innovation [raised over $1 billion in investment in the second quarter of 2019 alone](https://www.bio.org/sites/default/files/2021-04/Climate%20Report_FINAL.pdf). If investors cannot be confident that IP will be in place to protect important climate change technologies after their long road from bench to market, it is unlikely they will continue to investat the current and required levels**.**

#### Climate change destroys the world.

Specktor 19 [Brandon writes about the science of everyday life for Live Science, and previously for Reader's Digest magazine, where he served as an editor for five years] 6-4-2019, "Human Civilization Will Crumble by 2050 If We Don't Stop Climate Change Now, New Paper Claims," livescience, <https://www.livescience.com/65633-climate-change-dooms-humans-by-2050.html> Justin

The current climate crisis, they say, is larger and more complex than any humans have ever dealt with before. General climate models — like the one that the [United Nations' Panel on Climate Change](https://www.ipcc.ch/sr15/) (IPCC) used in 2018 to predict that a global temperature increase of 3.6 degrees Fahrenheit (2 degrees Celsius) could put hundreds of millions of people at risk — fail to account for the **sheer complexity of Earth's many interlinked geological processes**; as such, they fail to adequately predict the scale of the potential consequences. The truth, the authors wrote, is probably far worse than any models can fathom. How the world ends What might an accurate worst-case picture of the planet's climate-addled future actually look like, then? The authors provide one particularly grim scenario that begins with world governments "politely ignoring" the advice of scientists and the will of the public to decarbonize the economy (finding alternative energy sources), resulting in a global temperature increase 5.4 F (3 C) by the year 2050. At this point, the world's ice sheets vanish; brutal droughts kill many of the trees in the [Amazon rainforest](https://www.livescience.com/57266-amazon-river.html) (removing one of the world's largest carbon offsets); and the planet plunges into a feedback loop of ever-hotter, ever-deadlier conditions. "Thirty-five percent of the global land area, and **55 percent of the global population, are subject to more than 20 days a year of** [**lethal heat conditions**](https://www.livescience.com/55129-how-heat-waves-kill-so-quickly.html), beyond the threshold of human survivability," the authors hypothesized. Meanwhile, droughts, floods and wildfires regularly ravage the land. Nearly **one-third of the world's land surface turns to desert**. Entire **ecosystems collapse**, beginning with the **planet's coral reefs**, the **rainforest and the Arctic ice sheets.** The world's tropics are hit hardest by these new climate extremes, destroying the region's agriculture and turning more than 1 billion people into refugees. This mass movement of refugees — coupled with [shrinking coastlines](https://www.livescience.com/51990-sea-level-rise-unknowns.html) and severe drops in food and water availability — begin to **stress the fabric of the world's largest nations**, including the United States. Armed conflicts over resources, perhaps culminating in **nuclear war, are likely**. The result, according to the new paper, is "outright chaos" and perhaps "the end of human global civilization as we know it."

## 3

#### India’s COVID crisis has killed Modi’s appetite for international adventurism, but increasing vaccine production reverses the trend.

Singh ’21 (Sushant; senior fellow with the Centre for Policy Research in India; 5-3-2021; “The **End** of Modi’s **Global Dreams**”; Foreign Policy; https://foreignpolicy.com/2021/05/03/india-vishwaguru-modi-second-wave-soft-power-self-sufficiency/; Accessed: 8-27-2021)

India’s prime minister advanced a **muscular foreign policy**, but his mishandling of the pandemic is an **embarrassing step back**. In December 2004, when an earthquake and tsunami struck Asia, then-Indian Prime Minister Manmohan Singh decided it was high time for India to stop accepting aid from other countries to deal with disasters and rely on itself instead. “We feel that we can cope with the situation on our own,” he said, “and we will take their help if needed.” It was a pointed political statement about India’s growing economic heft, and it wasn’t the last. Singh’s government offered aid to the United States in the wake of Hurricane Katrina in 2005 and to China after the 2008 Sichuan earthquake. Seen as a matter of national pride, an indicator of self-sufficiency, and a snub to nosy aid givers, the practice continued under Indian Prime Minister Narendra Modi despite pressure to change course during floods in the southern state of Kerala in 2018. Modi, who has consistently campaigned on **virulent nationalism** captured by the slogan “Atmanirbhar Bharat” (or self-reliant India), has been forced to abruptly change policy. Last week, with images of people dying on roads without oxygen and crematoriums for pet dogs being used for humans’ last rites as the second wave of the COVID-19 pandemic overwhelmed the country, his government accepted offers of help from nearly 40 other nations. Its diplomats have lobbied with foreign governments for oxygen plants and tankers, the arrival of medicines, and other supplies hailed on social media. “We have given assistance; we are getting assistance,” said Harsh Vardhan Shringla, the country’s top diplomat, to justify the embarrassing U-turn. “It shows an interdependent world. It shows a world that is working with each other.” The world may be working with each other, but it is not working for Modi in the **realm of foreign policy**. Rather, this is a moment of reckoning, triggered by the rampaging coronavirus. After seven years as prime minister, Modi’s **hyper-nationalistic** domestic agenda—including his ambition of making the country a “Vishwaguru” (or **master to the world**)—now lies in tatters. India, which has been envisaged since former U.S. President Donald Trump’s administration became the Quadrilateral Security Dialogue’s lynchpin and focused other efforts in the Indo-Pacific strategy to counter China, will have to work harder to justify that role. Meanwhile, China has redoubled its efforts in India’s neighborhood since the second wave began, strengthening its existing ties with South Asian countries and contrasting its strength and reliability with India’s limitations. No doubt, New Delhi will be able to regain a certain sense of normalcy in a few months, but the **mishandling of the pandemic** has dealt it a weaker hand in **ongoing backchannel talks with Islamabad** and border negotiations with Beijing. But even **longer-lasting damage** has been done to India’s soft power, which was already dented under Modi’s authoritarian regime. This is a big problem for the government as it was soft power that allowed New Delhi to assert itself for a seat at the global high table to begin with. Front page images and video clips of constantly burning pyres and dying patients may recede from the foreground with time, but rebuilding India’s diplomatic heft and geopolitical prominence will need more than the passage of months and years. It will take a concerted effort, and S. Jaishankar, Modi’s chosen man to be India’s foreign minister, has so far appeared unequal to the task. In March, when the second wave of the pandemic started unfolding in India, Jaishankar’s ministry was busy issuing official statements and organizing social media storms against popstar Rihanna and climate change activist Greta Thunberg. On Thursday, at the peak of the health crisis, Jaishankar’s focus in a meeting with all the Indian ambassadors to various global capitals was on countering the so-called “one-sided” narrative in international media, which said Modi’s government had failed the country by its “incompetent” handling of the second pandemic wave. Until recently, Jaishankar was also the most enthusiastic promoter of the government’s Vaccine Maitri (or “Vaccine Friendship”) program, under which New Delhi supplied around 66.4 million doses of the India-made AstraZeneca vaccine to 95 countries in packing boxes marked prominently with large pictures of Modi. These vaccines were either commercially contracted, given as bilateral grants, or transferred under the World Health Organization’s COVID-19 Vaccines Global Access (COVAX) scheme for poorer countries. Meanwhile, India’s own vaccination rollout has been **dismal**. Around 2 percent of Indians have been fully vaccinated, despite the country being the world’s biggest vaccine manufacturer—a misstep that has emerged as one of the key culprits for India’s uncontrolled second wave. Having exported doses in a quest for personal glory, Modi is now awaiting 20 million doses of AstraZeneca vaccines from the United States after abruptly reversing 16 years of policy, as indicated in its disaster management documents, against **accepting bilateral aid**. It is bad enough that India is getting help from traditional partners like the United States and Russia, but it is also accepting supplies coming from China, with which India’s relationship has been increasingly strained under Modi. And it must have been particularly galling to the prime minister that **even Pakistan** made an offer to help with medical supplies and equipment. So woeful is India’s situation that it has started importing 88,000 pounds of medical oxygen daily from the tiny Himalayan kingdom of Bhutan. Most Indians acknowledge their country was in an economic recession last year, and accepting bilateral aid is more of a compulsion than a choice. But how will they reconcile that with the fact that work on a $2 billion project to reconstruct a government office complex in the national capital, including building a new residence for Modi, continues unabated as an “essential service” during the pandemic? Modi boasted of having made India a **Vishwaguru** and personally enhancing national prestige through his numerous global trips. His ultranationalist supporters had started assuming India was already a **global power** in the same league as the United States and China. This feeling tied in with his domestic political positioning. Hindutva, or homogenized Hindu nationalism, was offered as the ideology that had made this supremacy possible. But now Modi’s supporters find their dreams of a **global power shattered.** They must instead confront the harsh reality of being citizens of a so-called “third world country,” which is dependent once again on the largesse of others. As the Indian economy continues to be hammered by the pandemic, there is little Modi can offer economically to his base. The edifice of **nationalist** pride, prestige, and **global respect** built by Modi on his so-called foreign-policy prowess has been demolished by the pandemic. The pandemic has hurt India in other ways too. Australia, a member of the Quadrilateral Security Dialogue (or Quad), has imposed a ban on its citizens from returning home, threatening five-year prison sentences, if they have spent time in India. In its first leaders’ summit in March, the grouping decided to provide a billion doses of the COVID-19 vaccine to the Indo-Pacific region by 2022. The vaccines were to be produced in India, funded by the United States and Japan, and distributed by Australia, in what was seen as the showpiece initiative to move the Quad away from its security-centric approach and soften its reputation as an anti-China grouping. With India struggling to produce vaccines for its own citizens hit by the pandemic, it is unlikely the Quad will be able to keep its scheme on schedule. In the bargain, New Delhi’s position as the lynchpin of the Quad stands considerably diminished. If India stumbles, the American dream of the Quad can never become a reality. Beijing has already moved in to take advantage of India’s misfortune to strengthen its ties with other South Asian countries. Last Tuesday, the Chinese foreign minister held a meeting with his counterparts from Afghanistan, Bangladesh, Nepal, Pakistan, and Sri Lanka for cooperation against COVID-19. India was absent from the meeting. And although Afghanistan, Bangladesh, Nepal, and Sri Lanka have received some vaccine supplies from India and expect more, these countries are now looking toward Beijing for doses after New Delhi failed to keep up its commercial and COVAX commitments. In the race between the two Asian giants to be an attractive and reliable partner in South Asia, India seems to have finished behind China. China has also pressed its advantage along its restive border with India. After an initial disengagement in Ladakh, India, China refused to pull back any further from other Indian-held territories it had moved into last summer. It stonewalled Indian attempts to discuss these areas in the last round of talks between the two sides, and it has constructed permanent military infrastructure and deployed troops close to the disputed border. If there were ever a time for India to demonstrate its strength, it would be now. But the second wave of COVID-19 has forced **the opposite**. A similar impact will be felt during New Delhi’s ongoing backchannel talks with Islamabad, where Pakistan will likely try to take **full advantage** of any **chinks in India’s armor**. India cannot afford to walk away from those talks as it has already been forced to engage with Islamabad due to its own inability to handle a two-front threat from China and Pakistan. An economy and a country ravaged by the pandemic makes the dual threat an even more **challenging proposition** for India—and hands Pakistan an unexpected advantage in the talks.

#### **Revitalized risk-taking risks Indo-Pak confrontations – those go nuclear.**

Roblin ‘20 [Sebastien; university instructor for the Peace Corps in China, master’s degree in conflict resolution from Georgetown University; 3-16-2020; "Yes a Pakistani-Indian Nuclear War Would Kill People All Over the Planet"; National Interest; https://nationalinterest.org/blog/buzz/yes-pakistani-indian-nuclear-war-would-kill-people-all-over-planet-133642; accessed 3-17-2020]

Such assessments are not only shockingly callous but shortsighted. In fact, several studies have modeled the global impact of a “limited” ten-day nuclear war in which India and Pakistan each exchange fifty 15-kiloton nuclear bombs equivalent in yield to the Little Boy uranium bomb dropped on Hiroshima. Their findings concluded that spillover would in no way be “limited,” directly impacting people across the globe that would struggle to locate Kashmir on a map. And those results are merely a conservative baseline, as India and Pakistan are estimated to possess over 260 warheads. Some likely have yields exceeding 15-kilotons, which is relatively small compared to modern strategic warheads. Casualties Recurring terrorist attacks by Pakistan-sponsored militant groups over the status of India’s Muslim-majority Jammu and Kashmir state have repeatedly led to threats of a conventional military retaliation by New Delhi. Pakistan, in turn, maintains it may use nuclear weapons as a first-strike weapon to counter-balance India’s superior conventional forces. Triggers could involve the destruction of a large part of Pakistan’s military or penetration by Indian forces deep into Pakistani territory. Islamabad also claims it might authorize a strike in event of a damaging Indian blockade or political destabilization instigated by India. India’s official policy is that it will never be first to strike with nuclear weapons—but that once any nukes are used against it, New Dehli will unleash an all-out retaliation. The Little Boy bomb alone killed around 100,000 Japanese—between 30 to 40 percent of Hiroshima’s population—and destroyed 69 percent of the buildings in the city. But Pakistan and India host some of the most populous and densely populated cities on the planet, with population densities of Calcutta, Karachi and Mumbai at or exceeding 65,000 people per square mile. Thus, even low-yield bombs could cause tremendous casualties. A 2014 study estimates that the immediate effects of the bombs—the fireball, over-pressure wave, radiation burns etc.—would kill twenty million people. An earlier study estimated a hundred 15-kiloton nuclear detonations could kill twenty-six million in India and eighteen million in Pakistan—and concluded that escalating to using 100-kiloton warheads, which have greater blast radius and overpressure waves that can shatter hardened structures, would multiply death tolls four-fold. Moreover, these projected body counts omit the secondary effects of nuclear blasts. Many survivors of the initial explosion would suffer slow, lingering deaths due to radiation exposure. The collapse of healthcare, transport, sanitation, water and economic infrastructure would also claim many more lives. A nuclear blast could also trigger a deadly firestorm. For instance, a firestorm caused by the U.S. napalm bombing of Tokyo in March 1945 killed more people than the Fat Man bomb killed in Nagasaki. Refugee Outflows The civil war in Syria caused over 5.6 million refugees to flee abroad out of a population of 22 million prior to the conflict. Despite relative stability and prosperity of the European nations to which refugees fled, this outflow triggered political backlashes that have rocked virtually every major Western government. Now consider likely population movements in event of a nuclear war between India-Pakistan, which together total over 1.5 billion people. Nuclear bombings—or their even their mere potential—would likely cause many city-dwellers to flee to the countryside to lower their odds of being caught in a nuclear strike. Wealthier citizens, numbering in tens of millions, would use their resources to flee abroad. Should bombs beginning dropping, poorer citizens many begin pouring over land borders such as those with Afghanistan and Iran for Pakistan, and Nepal and Bangladesh for India. These poor states would struggle to supports tens of millions of refugees. China also borders India and Pakistan—but historically Beijing has not welcomed refugees. Some citizens may undertake risky voyages at sea on overloaded boats, setting their sights on South East Asia and the Arabian Peninsula. Thousands would surely drown. Many regional governments would turn them back, as they have refugees of conflicts in Vietnam, Cambodia and Myanmar in the past. Fallout Radioactive fallout would also be disseminated across the globe. The fallout from the Chernobyl explosion, for example, wounds its way westward from Ukraine into Western Europe, exposing 650,000 persons and contaminating 77,000 square miles. The long-term health effects of the exposure could last decades. India and Pakistan’s neighbors would be especially exposed, and most lack healthcare and infrastructure to deal with such a crisis. Nuclear Winter Studies in 2008 and 2014 found that of one hundred bombs that were fifteen-kilotons were used, it would blast five million tons of fine, sooty particles into the stratosphere, where they would spread across the globe, warping global weather patterns for the next twenty-five years. The particles would block out light from the sun, causing surface temperatures to decrease an average of 2.7 degrees Fahrenheit across the globe, or 4.5 degrees in North American and Europe. Growing seasons would be shortened by ten to forty days, and certain crops such as Canadian wheat would simply become unviable. Global agricultural yields would fall, leading to rising prices and famine. The particles may also deplete between 30 to 50 percent of the ozone layer, allowing more of the sun’s radiation to penetrate the atmosphere, causing increased sunburns and rates of cancer and killing off sensitive plant-life and marine plankton, with the spillover effect of decimating fishing yields.