### 1AC – Advantage – Cartels

#### The Advantage is Cartels –

#### Cartels are driving a massive number of illicit opioids into the US now – This is incentivized by people making the switch from Legal opioids, like Oxycodone to illicit ones like fentanyl and heroin

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Introduction¶ The United States is grappling with one of its worst-ever drug crises. More than 1,300 people per week die from opioid-related overdoses, a toll that has spiked across the country amid the COVID-19 pandemic. Meanwhile, millions more Americans suffer from opioid addiction.¶ The crisis has reached such a scale that it has become a drag on the economy and a threat to national security. Analysts say the problem started with the overprescription of legal pain medications, but note that it has intensified in recent years with an influx of cheap heroin and synthetic opioids, such as fentanyl, supplied by foreign-based drug cartels.¶ In recent years, the U.S. government has ramped up efforts to cut both foreign and domestic supply of opioids, limiting the number of prescriptions in the United States while providing counternarcotics assistance to countries including Mexico and China. Meanwhile, federal and state officials have attempted to reduce demand by focusing less on punishing drug users and more on treating them. Other countries where opioid use has also spiked, such as Australia and Canada, are experimenting with different policies.¶ What drugs are contributing to the crisis?¶ Opioids, a class of drugs derived from the opium poppy plant, can be divided into two broad categories: legally manufactured medications and illicit narcotics.¶ Opioid medications, including oxycodone, hydrocodone, and morphine, are commonly prescribed to treat pain, while methadone is primarily used in addiction treatment centers to reduce patients’ dependence on opioids. Opioids gained popularity among doctors in the 1990s for treating patients who had undergone surgery or cancer treatment, but in the last fifteen years physicians increasingly prescribed them for chronic conditions, such as back or joint pain, despite concerns about their safety and effectiveness.¶ Heroin for decades was the most commonly used illegal opioid, as the supply of the drug in the United States soared and its average retail-level price dropped by the mid-2010s to roughly one-third [PDF] of what it was in the early 1980s. However, by the end of the decade, heroin use and overdose deaths involving the drug appeared to be declining, according to the Centers for Disease Control and Prevention (CDC).¶ We didn’t develop an opioid epidemic until there was a huge surplus of opioids, which started with pharmaceutical drugs. ¶ Bridget G. Brennan, New York Special Narcotics Prosecutor¶ In recent years, people have increasingly turned to synthetic opioids such as fentanyl, which the U.S. Drug Enforcement Agency (DEA) says is “primarily responsible for fueling the ongoing opioid crisis.” Some law enforcement officials have labeled the drug “manufactured death” because it is cheaper and up to fifty times more potent than heroin. Fentanyl-related deaths are largely caused by the drug’s illegal use, though it can also be prescribed as a painkiller. The CDC notes that heroin and fentanyl are most often used in combination with other drugs, such as cocaine, or with alcohol, which increases the risk of overdose.¶ What is the scale of the epidemic?¶ Overdose deaths involving opioids have increased more than sixfold since 1999. In 2019—the most recent year for which full data is available—opioid overdoses killed nearly fifty thousand people, or more than seven times the number of U.S. military service members killed in the post-9/11 wars in Iraq and Afghanistan. And the CDC estimates that in 2020, the number of opioid-related overdose deaths shot up to 69,710. The opioid mortality rate contributed to a historic, three-year decline in life expectancy in the United States between 2015 and 2017; after a short reprieve, life expectancy dropped again in 2020.¶ Many health experts attribute the high death toll to what they say has been years of overprescribing by physicians. Doctors began prescribing more opioids amid a growing concern that pain was going undertreated, and also because pharmaceutical companies began marketing the drugs more aggressively while claiming they posed little risk. Health-care providers have reported feeling pressure to prescribe opioid medications rather than alternatives, such as physical therapy or acupuncture, because patients request them and other treatments are often more costly or less accessible.¶ Opioid-related deaths have grown in lockstep with the volume of opioids prescribed. A spike in the use of illegal opioids in the United States has followed the rise in prescriptions, as many users turn to heroin and other illegal drugs once they can no longer obtain enough of their prescribed drug to keep pace with what may be a developing addiction. “We didn’t develop an opioid epidemic until there was a huge surplus of opioids, which started with pharmaceutical drugs distributed legally,” New York Special Narcotics Prosecutor Bridget G. Brennan told CFR.¶ The pandemic of a new coronavirus disease, COVID-19, has worsened the opioid epidemic. Disruptions to supply chains have forced people to turn to drugs they are less familiar with, and social-distancing measures have meant more people taking drugs alone, analysts say.¶ What are the demographics of the opioid crisis?¶ The vast majority of those who overdose on opioids are non-Hispanic white Americans, who made up more than 75 percent of the annual total in 2018. Black Americans and Hispanic Americans accounted for about 13 and 9 percent of cases, respectively. Economists Anne Case and Angus Deaton have argued that the rise in what they call “deaths of despair”—which include drug overdoses, particularly among white Americans without college degrees—is primarily the result of wages stagnating over the last four decades and a decline in available jobs.¶ U.S. military veterans, many of whom suffer from chronic pain as a result of their service, account for a disproportionately high number of opioid-related deaths. Veterans are twice as likely as the general population to die from an opioid overdose, according to a study commissioned by the National Institutes of Health.¶ What are the socioeconomic consequences?¶ The opioid epidemic is having devastating consequences on other aspects of public health, causing high rates of hepatitis C, HIV, and other diseases, mainly due to shared syringes. Meanwhile, mothers could pass an opioid dependency on to their children if they use while pregnant. Incidences of neonatal abstinence syndrome, or withdrawal symptoms experienced by newborns exposed to drugs while in the womb, jumped by more than 80 percent between 2010 and 2017. The opioid crisis likely also contributed to an uptick in the number of children in foster care.¶ Opioids have also taken a toll on the economy. Testifying before the U.S. Senate in 2017, Janet Yellen, then chair of the Federal Reserve, linked the opioid epidemic to declining labor-force participation among “prime-age workers.” Late Princeton University economist Alan Krueger wrote that it could account for 20 percent of the decline in participation among men and 25 percent among women from 1999 to 2015.¶ Where are the heroin and fentanyl coming from?¶ The opioid crisis has also become a national security concern. Most of the heroin coming into the United States is cultivated on poppy farms in Mexico, with several major cartels controlling production and operating distribution hubs in major U.S. cities. Mexican cartels, which the DEA calls the “greatest drug trafficking threat to the United States” [PDF], typically smuggle narcotics across the U.S. southwest border in commercial and passenger vehicles and via underground tunnels. Large quantities of heroin are also produced in South American countries, particularly Colombia, and trafficked to the United States by air and sea. Although most of the world’s heroin comes from Afghanistan, only a small portion of the U.S. supply is produced there.¶ Most fentanyl in the United States is smuggled across the southern border, U.S. officials say, while fentanyl coming directly from China—previously the dominant source—has significantly decreased since 2019. Mexican cartels will “almost certainly have the greatest direct impact” on the U.S. fentanyl market in the coming years, the DEA cautions.¶ What is the United States doing to restrict foreign narcotics?¶ Since 2007, the United States has provided Mexico with more than $3 billion in security and counternarcotics aid, including for police and judicial reforms, in a program known as the Merida Initiative [PDF]. U.S. officials say the initiative led to the capture of some top cartel leaders, including Joaquin “El Chapo” Guzman, but Mexican President Andres Manuel Lopez Obrador has sharply criticized the agreement, and the Joe Biden administration is reportedly considering a new bilateral strategy. Through a similar partnership with Colombia, the United States provided almost $10 billion beginning in 2000; that program effectively drew to a close following the end to the civil conflict there in 2016.¶ The DEA, the leading U.S. agency involved in counternarcotics, has also coordinated efforts with China, the primary source of fentanyl in the United States in the mid-2010s. Amid sustained U.S. diplomatic pressure, Beijing made several moves to crack down on fentanyl production, culminating in a 2019 ban [PDF] on the production, sale, and export of all fentanyl-related substances….

#### Patents created the opioid crisis – Patents reward companies that make addictive drugs, and market exclusivity allows for aggressive marketing that allowed over prescription of opioids.

Hemel & Ouellette 20[Daniel J Hemel, Assistant professor of law and Ronald H.Coase Research scholar@ university of Chicago law school. Lisa Larrimore Ouellette, Associate professor of law and Justin M. January-June 2020, “Innovation institutions and the opioid crisis” Journal of Law and the Biosciences, Volume 7, Issue 1, <https://doi.org/10.1093/jlb/lsaa001> ww

Opioid overdoses killed an estimated 46,802 people in the US in 2018.1 That is a very slight decline from the previous year, but it is still a stunning number. To put that figure in perspective, more Americans now die from opioid over doses than from motor vehicle accidents2 or from the AIDS epidemic at its peak.3 Over one-third of US adults are estimated to have used prescription opioids in 2015, and nearly 5 percent to have misused them.4 The ubiquity of opioids not only put those patients who had prescriptions at risk of addiction but also unleashed a flood of pills that could be used and abused by family members and friends.5 Prescription opioids further fed into the spread of other opioids—including heroin, the use of which increased almost five - fold in a decade,6 and fentanyl, a synthetic opioid that has seen an even more dramatic and deadly surge.7 The economic costs of the epidemic are staggering, likely topping $500 billion annually.8 Without a doubt, the opioid crisis is among the primary policy challenges facing the US today. Two dominant narratives have emerged in scholarly and popular commentary on the opioid crisis's causes. One narrative casts opioid abuse as a 'disease of despair'-a by-product of poverty and lack of economic opportunity that has hit hardest in deindustrializing regions.9 This account may capture some important social trends, but identifying causal mechanisms behind the growth in opioid overdoses has proven challenging. '0 Econometric evidence suggests that overdoses have more to do with the availability and cost of drugs than with regional economic trends. As one prominent health economist recently wrote, 'efforts to improve local economies, while desirable for other reasons, are not likely to yield significant reductions in overdose mortality.'"¶ A second narrative-which we refer to as the 'disease of deception' account- emphasizes the role of pharmaceutical companies in hiding addiction risks from the public even as they aggressively marketed opioids for ever-broader uses. The chief antagonists in this narrative are members of the Sackler family that owned and ran Purdue Pharma, the maker of the now-infamous opioid drug OxyContin." The disease-of-deception narrative draws strong support from documents that have surfaced in litigation against Purdue Pharma revealing that company officials knew shortly after OxyContin's introduction in 1996 that the drug was being abused widely-yet concealed that information from the public."¶ Even Purdue Pharma's most withering critics do not allege that the company's cover-up was the sole cause of the opioid crisis, however. Widespread OxyContin abuse was a front-page news story as early as 2001 , when the opioid epidemic was still in its nascent stage. ' 4 '[N]o prescription drug in the last 20 years has been so widely abused so soon after its release as OxyContin,' the New York Times reported in May 200] , citing officials at the federal Drug Enforcement Administration (DF.A).'5 Talk radio host Rush Limbaugh drew greater attention to OxyContin in 2003 when he acknowledged on air that he had become addicted to prescription painkillers." And in 2007, a full decade before the annual death toll from opioid abuse reached its peak, Purdue Pharma and three of its executives entered a widely publicized guilty plea to federal criminal charges of misbranding charges related to the company's concealment of OxyContin's addictive properties. '7 None of this is to suggest that Purdue Pharma and other pharmaceutical companies that marketed prescription opioids are immune from blame for the current crisis. They are not. But deception alone cannot explain how opioids continued to inundate American medicine cabinets long after the addiction risks were widely publicized.¶ How did opioids overwhelm a nation well aware of their addictive properties, claiming victims across the socioeconomic spectrum? To understand that, one must understand not only how opioid manufacturers aggressively marketed their wares and why physicians profligately prescribed these drugs but also why alternative pain management strategies failed to emerge and why opioid antidotes and abuse treatments were so much slower to spread. Purdue Pharma and 'pill mills' play a part in this story," but so does Medicaid's 'best price' mandate and the National Institutes of Health's (N IH) allocation of research funding. Comprehending the origins and persistence of the crisis requires a deep dive into the organizations and policies that drove the opioid wave as well as those that failed to produce a robust response.¶ This article takes up that task. We suggest that the opioid epidemic is, in important respects, a disease of design. By this, we do not mean to suggest that the opioid crisis is the outgrowth of any single person's grand plan. What we mean instead is that the design of institutions created conditions that allowed the crisis to arise and proliferate. We focus in particular on the design of innovation institutions-the legal arrangements that structure the production and allocation of knowledge goods. '9 These include not only intellectual property law (patents, trade secrets, trademarks, regulatory exclusivity, etc.), but also the regulatory structures of the Food and Drug Administration (FDA) that determine whether knowledge goods can reach the market and the public benefit programs like Medicare and Medicaid that subsidize access to knowledge goods."¶ The design of innovation institutions enabled the opioid epidemic in a number of ways. First, US innovation institutions produced powerful incentives for pharmaceutical firms to develop and commercialize highly addictive prescription pain medicines while imposing weaker constraints on the rollout of new and more addictive products. Second, systems for allocating access to medical technologies promoted the use of addictive medicines while creating barriers to access for addiction treatments. Third, innovation institutions allowed-and indeed, encouraged-manufacturers of opioid antidotes to charge sky-high prices for products that, if more widely accessible, likely could have saved the lives of thousands of opioid overdose victims. Fourth, even while encouraging the rapid diffusion of addictive opioids, innovation institutions failed to sufficiently reward firms for formulating, refining, or popularizing alternative treatments for addiction or for the underlying problem of chronic pain. Again, no one sat down and designed the system to work this way. But a series of institutional design choices-some conscious, others unconscious-allowed a perfect storm to coalesce.¶ Some of these design flaws are relatively familiar. Intellectual property (IP) is an innovation institution that relies on signals of social value generated by market mechanisms, and market-generated signals can yield inefficient allocations of goods in the presence of externalities. Addictive pain medications generate negative externalities, and overdose and addiction treatments produce positive externalities, so it is perhaps unsurprising that America ended up with too many addictive prescription opioids and too few overdose and addiction treatments. Furthermore, IP distorts investments in research and development toward patentable technologies like pharmaceuticals," so it is no surprise that the patent-centric US innovation institutions resulted in a nation awash in pills but wanting for alternative pain treatments.¶ In other respects, our examination of the role of innovation institutions in the opioid epidemic challenges traditional understandings of IP in particular, and innovation institutions more broadly. The conventional view posits that IP policy's fundamental trade-off is between innovation and access, or what economists call dynamic efficiency and allocative efficiency.22 IP incentivizes the development and commercialization of new and better products (the dynamic-efficiency benefit), but it also encourages IP holders to raise prices and restrict access (the allocative-inefficiency cost). The opioid epidemic presents a contrasting image of IP’s potential consumption-expanding effects. Opioid patents induced investments in efforts to create demand for products that consumers did not previously believe they wanted." This demand-creation effect was especially powerful because the patented product was habit-forming-Purdue's lower prices for OxyContin in the short term could thus raise consumption in the long term.24 And this problem was exacerbated by the effective cost often being lowered through prescription drug insurance. Although scholars typically view the increased use of patented technologies as a welfare gain, the example of prescription opioids illustrates that patents' consumption-expanding effects can be pernicious. ¶ Ideally, the government would counteract the biases embedded in the patent system through other innovation institutions, including regulations, taxes, and government directed financial rewards such as grants and prizes. For example, market-based prizes in the form of insurance reimbursement policies appear to be a particularly promising intervention.2S But in the context of pain treatment, the federal government's non-patent interventions exacerbated the skew toward prescription opioids and away from other pain management and mitigation strategies. At the same time, government policies created barriers that limited access to addiction treatments. Additionally, and paradoxically, the federal governments subsidies for opioid antidotes may have reduced access to these lifesaving products, challenging the view that demand-side subsidies are a solution to the patent system's pitfalls.¶ Recognizing the role of America's innovation institutions in the opioid epidemic helps inform the search for paths out of the current crisis, but it is essential to emphasize that no magic-bullet policy will bring the opioid epidemic to an end. The proliferation of prescription opioids was both a function of incentives generated by the current innovation ecosystem and a response-misguided as it may have been-to the very real problem of chronic pain afflicting an estimated one in five US adults." Any comprehensive effort to curtail opioid abuse will require interventions aimed at addressing chronic pain in ways that do not put patients at risk of addiction. The solution likely will involve regulated use of opioids by the populations for which they are justified as well as both existing and novel nonaddictive analgesics." At the same time, wider access to existing non-pharmacological pain treatments such as acupuncture, physical therapy, exercise, meditation, and cognitive behavioral therapy may do as much to mitigate the overuse of prescription opioids as any pharmacological leap." Moreover, any comprehensive national strategy to contain the opioid epidemic also will require interventions aimed at individuals already in the throes of addiction (medically known as 'substance use disorder' or 'opioid use disorder').29 Initiatives at the federal, state, and local levels suggest progress in this regard, though still on a scale far too small relative to the problem that they aim to solve.30¶ This article is an attempt to understand how innovation institutions are bound up in the opioid crisis, how they might help to bring the crisis to an end, and what lessons the opioid crisis offers for innovation policy going forward. Part II investigates the relationship between innovation institutions and the sky-high rates of opioid use, abuse, and overdose. Part 111 draws on insights from the study of innovation policy and comparative institutional analysis to evaluate the ways in which innovation institutions can respond to the opioid epidemic. For example, distortions caused by patent law might be addressed through interventions in areas such as FDA regulation, tort law, and antitrust. And direct public support can address problems on both the incentive and allocation side of innovation policy. As we discuss, there are significant political hurdles to reform, although it is at least promising that opioid misuse is now being viewed as a public health problem. Finally, Part IV asks what lessons we can learn from the opioid crisis for innovation policy more broadly.

#### The plan spurs on innovation for non-opioid pain killers

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Conventionally, innovation scholars have focused on patent law as the main policy tool to increase production of new knowledge goods.226 Patents, at least in theory, leverage private information from market actors about the value and viability of potential projects and provide strong incentives for investments in promising ideas.227 But as emphasized in Section ll.B, these same features of the patent system encouraged the development and commercialization of prescription opioids. Given the patent system's pro-pharmaceutical skew-and, in particular, its bias toward addictive goods-one natural response might be to write all patents as a potential solution to a problem that, in many respects, is a product of too many pills.¶ We think that would be a mistake. As awareness grows among physicians and patients about the addiction risk associated with prescription opioids, demand for nonaddictive pain treatments will increase too. The patent system will generate strong financial incentives for pharmaceutical and biotech firms to invest in the development of non-opioid painlkillers,228 abuse-resistant opioids,'229 drugs that can be used to 230 and easier delivery methods for the overdose antidote naloxone.23' treat addiction, (Indeed, many firms already have.232) There is, to be sure, something unseemly about the very firms that fueled the spread of prescription opioids also profiting from the problem they helped create. Many Americans were thus understandably outraged to learn that Purdue Pharma has filed for a patent on a drug that could 'help wean addicts from opioids,' given that Purdue had helped to hook some of those same people on opioids in the first place.233 It would be an even crueler irony, though, if the patent system failed to reward investments in innovations that could bring the opioid epidemic under control and thereby encouraged the proliferation of prescription opioids but not the development of solutions to addiction.¶ Of course, these powerful patent incentives still may be subject to the same distortions described in Part 11. Patents also skew research toward treatments that require repeated use-and thus generate steady streams of revenue-rather than preventatives which are effective after a single administration.7"l'4 Patent law may therefore be more helpful, for example, in encouraging the development of nonaddictive painkillers than in the development of anti-addiction vaccines.235 Patent law likewise will do little to facilitate research and development directed at ideas that are difficult for a single firm to commodify—for example, reducing the default number of pills per prescription,236 informing doctors when their patients overdose,237 or encouraging the use of alternative pain treatments such as physical or behavioral therapy.238 Patents are also ineffective incentives for non-pharmaceutical addiction recovery tools such as mobile phone reminders that track the number of days that a patient has remained substance-free,239 for creative ideas like using reverse motion detectors in clinic bathrooms (ie devices that detect lack of motion) to prevent fatal overdoses,240 and for research on the comparative value of supervised drug use clinics241 or different drug court protocols or streamlined ER-to-outpatient transfers for preventing relapse.242¶ Episodes such as Indivior’s effort to undermine the tablet form of Suboxone243 highlight the need to consider broad changes to patent law and its interactions with FDA regulatory law, antitrust law, tort law, and other institutions that might cabin its pathologies.244 These changes, however, may take years to formulate and implement. In the meantime, the opioid epidemic’s daily death toll reminds us of ‘the fierce urgency of now.’245 While patents may play a role in promoting the development and commercialization of opioid alternatives, antidotes, and addiction treatments, we think it is clear enough that America will not patent its way out of the opioid crisis. Policymakers will need to look elsewhere for solutions.

#### That solves Mexican instability – cartels destabilize the region though causing huge amounts of homicides, kidnappings and violence

Morfini 19 [Nocola Morfini, lecturer in the department of Politics and Sociology at IPADE Business School (Mexico City), 11-3-19, “How can Mexico break the cycle of violence?” Al Jazeera, Accessed 9-24-2021, <https://www.aljazeera.com/opinions/2019/11/3/how-can-mexico-break-the-cycle-of-violence> ww

Criminal violence in Mexico has swept back into the headlines, staining the streets of the country with blood. The country’s new administration, led by President Andres Manuel Lopez Obrador, is facing its first major security crisis. This time, however, the country is not threatened by another turf war between cartels, but instead an open confrontation between a cartel and the federal government.¶ On the afternoon of October 17, the Mexican army detained Ovidio Guzman, son of the infamous drug lord Joaquin “El Chapo” Guzman, in the city of Culiacan. His detention led to violent retaliation from the Sinaloa cartel, which set up roadblocks in different areas of Culiacan and engaged in shootouts with security forces.¶ The hitmen attacked the facilities of the Ninth Military Zone, where the families of the military personnel involved in the operation reside. After two hours of skirmishes, the security cabinet of the president released Ovidio Guzman. “In the desire to obtain a positive result, [the ministerial police] acted in a precipitous manner, with insufficient planning and a lack of awareness of the consequences,” stated Mexican Secretary of Defence General Luis Cresencio Sandoval.¶ The final toll of the clashes between the cartel and the army was 14 dead, including four civilians. Additionally, amid the confusion, a riot broke out at the nearby prison of Aguaruto, where two guards were killed and 49 prisoners escaped. ¶ The level of violence in Mexico has reached record levels in the last few years, and its growth seems unstoppable. According to Mexico’s National Statistics Institute, there were 35,964 murders in 2018, making it the most violent year in modern Mexican history. Criminal violence first surged in 2006 when President Felipe Calderon declared a so-called “war on drugs”.¶ Before President Calderon’s administration, Mexico experienced roughly 10,000 homicides per year on average, less than a third of the present figure. Not only has the violence skyrocketed since 2006, but the number of cartels has also increased from six to 37, generating total estimated revenues of $29bn. The dramatic increase in the number of cartels and criminal groups operating in Mexico is largely due to President Calderon’s policy, which focused almost exclusively on arresting the leaders of the cartels, fragmenting the previously consolidated criminal groups.¶ Today, Mexican policymakers are divided between those who propose violently cracking down on drug cartels and those who propose a peace agreement. Both strategies, however, are limited. On the one hand, the Mexican state must not tolerate criminal groups or their activities. On the other hand, the government cannot risk a further increase in violence in the country.¶ The war on drugs is nothing like a conventional warfare. First of all, a war of all-against-all between cartels and the state resembles more a civil war, than a conventional one. Secondly, the problem of fighting the cartels is that they operate in the desert, in the jungle, as well as in highly populated urban areas. Therefore, security forces must be equipped and trained to operate in several different contexts at the same time.¶ Also, a drug war poses high risks for the population, which can be affected by the military operations, or be used as shields or hostages by the cartels. One should also consider that a drug cartel will never “surrender” like a state in a conventional war. Cartels are highly fluid, and they easily fragment, atomise, and reorganise according to the conditions of their environment (arrests, internal divisions, death of the leadership, etc). Wars are expected to finish, at some point, but as El Chapo has noted: “drug traffic will never end”. The only effect of war on organized crime is to plunge Mexico into a cycle of interminable violence.¶ Considering that the “war” on cartels is clearly a failed strategy, how viable is a peace process? First of all, the government would need to negotiate 37 different peace deals, one for each cartel and criminal group, which is essentially impossible. Add to this the volatile instability of the cartels and it becomes clear that a pact – such as a treaty to end the war – is impossible to reach. Any agreement with a criminal group will inevitably be short-lived. At some point, the chronic inefficiency of the municipal police and the justice system will allow the cartels to expand their margins of autonomy, further crippling the authority of the Mexican state. ¶ At the present stage, neither peace nor war is a viable solution. The Mexican state is too weak to wage an infinite war against numerous cartels, yet is also too weak to set the conditions for an eventual peace negotiation.¶ In order to emerge from this stalemate, Mexico must reverse the balance of power that currently favours the drug cartels by strengthening its institutions. The Mexican justice system has an extremely high rate of impunity – 99.3 percent. Trust in the justice system is so low that only 10 percent of crimes are reported to the authorities, and of these, only 14 percent result in a conviction.¶ Also, police officers are poorly trained, which often results in detentions invalidated based on technicalities. For instance, on the October 24, a judge released 31 members of the criminal gang La Union Tepito for false arrest, even though the operation led to the seizure of 2.5 tonnes of drugs, and a huge number of assault weapons.The strength of the drug cartels does not come from their money or weapons, but rather from the weakness of Mexican public institutions.¶ In response to the ongoing security crisis, the current administration has adopted generous redistributive policies aimed at reducing the vulnerability of the most marginalised sectors of society. This is definitely an appropriate policy, however, its effects will only be reflected in the long term.¶ The government must elaborate a progressive strategy in order to address this emergency and ensure that it is not repeated. In the short term, the government should reinforce the operational capacity of its security forces and finally decide whether it will continue to use the army to conduct police operations or replace it with a civilian security force. In the medium term, Mexico must strengthen and reinforce its police, justice, and prison systems. Doing so is the only way out of this crisis.¶ The problem in Mexico is structural. The country will remain in a state of constant emergency until its institutions reduce the grey areas in which crime prospers. And the necessary changes will take much longer than the six years of a presidential mandate. It is not enough for this administration alone to implement the correct policies; the subsequent administration must ensure their continuity.¶ Mexico does not allow for presidential re-election, which jeopardises the ability to establish a clear, long-term strategy. That is why it is crucial for the Mexican political elite to converge on the need to strengthen public institutions and finally establish a common vision for the country.

#### Mexican Cartels have Nuclear Material, the ability to produce WMDs and purchase more and a network to plant them in the US or EU

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Business has never been better for Mexico’s criminal syndicates. Organized crime in Mexico and Central America has long played a dominant role in destabilizing the region while contributing to a host of social issues within the United States where one of their largest groups of clientele is located. But more recent events show that the cartels are gaining a previously unheard of boldness, potentially achieving the ability to create WMDs and expanding their control of Mexico’s economy and government while violence escalates within the country. The threat of cartel-handled nuclear or biological weapons in particular is a grave threat to not only the Mexican government, but also the United States. With a migrant crisis due to looming unrest in South America becoming likely, possession of such weapons will give organized criminal groups a powerful bargaining chip. I. Increasing Aggression And Acquisition Of Nuclear Materials Heavy competition between various cartels has contributed to a murder rate that hit an [all time high](http://archive.is/zWsjf) in 2017. Spikes in violence are due to a number of factors, such as removal of certain leadership figures like [Joaquín “El Chapo” Guzmán](http://archive.is/F3k9d) and a spike in migration and unrest due to a growing “[Latin Spring](https://disobedientmedia.com/2018/04/the-southwestern-hemisphere-is-sliding-towards-its-own-arab-spring/)” in parts of Central and South America. The expected surge of refugees from countries such as Venezuela means that criminal groups are likely posturing themselves to control the routes that those fleeing conflict will take as they attempt to enter the United States. Cartels have also been involved with a number of daring robberies where radioactive materials were stolen. In [February](http://archive.is/8GaM1) and [July](http://archive.is/WUaA2) 2018, Mexican authorities reported thefts of radioactive materials and placed multiple states on alert. These reports were followed by revelations on July 16, 2018 from the [Center for Public Integrity](http://archive.is/LLo6B) that an unknown amount of Plutonium-239 and Cesium-137 had been stolen out of the vehicle of two US Department of Energy employees in Texas the previous year. The materials have not yet been recovered and neither the San Antonio police or the FBI disclosed the incident to the public. It takes only 7 pounds of plutonium to build a functioning nuclear warhead, and much less to combine with conventional explosives for the purpose of creating a dirty bomb. Moving these materials across the southern US border is not prohibitively difficult due to the number of [federal employees](http://archive.is/JNiiN) who are controlled by cartel groups and would be unable to easily tell the difference between drugs and WMDs being moved cross-border. The danger of WMDs in the hands of Mexican criminal enterprises is twofold. Primarily because they give these organizations serious leverage over the government in Mexico and the United States, but also because the cartels’ international contacts mean that these materials can be distributed worldwide to a variety of groups. II. International Reach International connections offer the cartels the opportunity not only to distribute nuclear and biological agents to other groups, but also to acquire more of these materials. International terror networks such as [Al Qaeda and ISIS](http://archive.is/jCcOL) have long had ties to Central and Southern cartel groups through their involvement with the human and drug trafficking trades making the transport of weapons, operatives and materials across the Atlantic an easy process. [Reports](http://archive.is/PZEry) claiming that weapons used in the 2015 Paris terror attacks were traced to one of the illegal weapons sales that occurred during Operation Fast and Furious further show the ability of Mexican transnational criminal groups to move not just drugs, but other products across the globe. [Al Qaeda operatives](http://archive.is/eBAP5) have for years bragged that they are able to acquire the services of scientists, chemists and nuclear physicists. With international trade between organized criminals and terror groups becoming so fluid, the idea that the cartels would be able to employ individuals with these specialist skills are hardly far fetched. [Claims](http://archive.is/o9IYB) have also emerged in October 2017 that far left groups from the US and Europe were meeting with members of ISIS and Al Qaeda with the intent of gaining bomb-making know-how in addition to materials needed for chemical and gas weapons. This indicates the alarming likelihood that trafficking groups could be helping to distribute nuclear, biological or chemical materials to Islamist and leftist groups abroad in areas such as the European Union and United States. Another potential source of nuclear materials is through Russian organized crime networks who are known to deal with both the cartels and Islamic terror groups. Starting first with the [Colombian traffickers](http://archive.is/7FkKY) before establishing economic relationships with their [Mexican](http://archive.is/uKrfC) counterparts, this trade created a new market for cocaine and heroin coming from Central and South America while in return providing a fresh source of weapons and other munitions. This relationship would also allow cartels the opportunity to acquire nuclear material from Russian connected smuggling groups, who are known to have been [seeking out ISIS representatives](http://archive.is/ynRxx) with the intention of selling them WMDs. The cartels have also established ties with Asian organized crime groups who act as foreign policy agents for the government of China. In 2014, the [South China Morning Post](http://archive.is/DCfje) reported that Hong Kong based triads 14K and Sun Yee On were engaging with the Sinaloa cartel to provide them with precursor materials needed to produce methamphetamine. In return, Mexican syndicates have been utilizing Hong Kong [banks and shell companies](http://archive.is/5MUD9) to launder money earned from sales of illicit goods. Human [smuggling of Chinese nationals](http://archive.is/RCRmq) into the United States has boomed due to what law enforcement officials say is an “alliance between Chinese and Latin American smuggling rings.” [Disobedient Media](https://disobedientmedia.com/2017/07/chinas-shift-towards-californias-gold-mountain/) reported in 2017 that the 14K triad was working with local affiliates on the American West Coast to push out pro-Taiwanese criminal interests and consolidate control. A 1997 expose by [The New Republic](http://archive.is/86ekl) showed that the 14K triad operates as a foreign policy proxy for elements of the Chinese Communist Party. III. Close Ties To Current Mexican Government Despite the fact that Mexico’s incoming President, Andrés Manuel López Obrador (AMLO), is seen as a populist and fresh change from Mexico’s elite class his party has known ties to criminal organizations. AMLO has directly advocated a number of policies that will drastically improve rather than hamper the position of the cartels. Obrador’s Party of the Democratic Revolution (PRD) has been described as a “[trojan horse](http://archive.is/1h7BM)” by observers for many years. In 2011 [leaked audio recordings](http://archive.is/aF4H1) revealed that PRD candidate for governor of Michoacan Silvano Aureoles had received $2 million from the Knights Templar cartel. In November 2014, the former mayor of Iguala, Mexico, José Luis Abarca, was [arrested and subsequently charged](http://archive.is/U5kVX) in connection to the kidnapping and murder of 43 Mexican students by the Beltrán Leyva cartel. Abarca, who ordered municipal police to hand the students over to cartel members, was also a [PRD member](http://archive.is/vr0wB). AMLO has caused outrage during his campaign by floating the idea of offering [amnesty for drug trafficking leadership](http://archive.is/E57DI). He is a member of the [Foro de Sâo Paulo](http://archive.is/5nba3), whose members includes states such as Venezuela where the government engages in direct collaboration with trafficking groups like the First Capital Command (Primeiro Comando da Capital or PCC). Economic reforms touted by Obrador also have the convenient effect of assisting cartel business interests. On August 28, 2018, [Reuters](http://archive.is/N828W) reported that a document drafted by advisors to Obrador outlined a plan to close off Mexico’s oil and gas reserves to international companies indefinitely. Mexican oil companies such as Pemex report [losing over a billion dollars a year](http://archive.is/RjYeZ) to cartel interests, meaning that government attempts to hedge foreign groups out of the oil industry will result in greater control by organized crime over these important business interests. A government that is firmly in the pocket of criminals alone would give Mexican trafficking syndicates the leverage they need to remain the supplier of [90 to 94% of all heroin](http://archive.is/XGN4B) consumed in the United States. With weapons of mass destruction in their possession, they could not only dominate Mexico but threaten the United States as well, particularly as relations between the two states have come increasingly to loggerheads over President Donald Trump’s policies concerning immigration, illegal trafficking and border security. Taking adequate measures to degrade the capabilities of the cartels is essential to improve Mexico’s anti-crime operations and ensure US national security.

#### Mexican Cartels are logistical leviathans – Terrorists could use them to smuggle WMDs across the border

**Krache Morris, 13**

Evelyn Krache Morris,  International Security Program fellow at the Belfer Center for Science and International Affairs at the John F. Kennedy School of Government, Harvarrrrrrrrrrd University, 12-4-2013, "Think Again: Mexican Drug Cartels," Foreign Policy, <https://foreignpolicy.com/2013/12/04/think-again-mexican-drug-cartels/> #CCCool

“Drugs Aren’t a Foreign Policy Problem.” You might think so for all the attention they get. As U.S. officials and commentators focus on events in Syria, Egypt, and Iran, another violent struggle is taking place much closer to home. The rise of drug-trafficking organizations (DTOs) in Mexico has fueled crime on both sides of the border and has undermined the economy of an important trading partner of the United States. Since 2006, more than 60,000 people have been killed in DTO-related violence, and more than 26,000 have gone missing. The violence has spread from rural Mexico to major cities like Guadalajara and Mexico City, where, this May, armed men kidnapped 12 young people from a nightclub. The bodies of 10 of the abductees were later found in a mass grave outside the city; officials think they were killed as part of an ongoing war between rival drug gangs in the capital. Despite enormous casualties, including members of U.S. law enforcement, the turmoil in Mexico does not receive nearly the level of scrutiny or attention from the U.S. government that conflicts in other countries do. During six hours of presidential debate in the 2012 campaign, for example, there was not a single direct mention of Mexico. This is particularly puzzling given the close geographic, economic, and cultural ties between Mexico and the United States. The two countries share a 1,933-mile border that 350 million people cross legally each year, making it the world’s busiest. Mexico is the United States’ second-biggest export market and its third-largest import supplier. And a 2011 Gallup poll found that 84 percent of Americans think that what happens in Mexico is either “vitally important” or “important but not vital” to the United States — more than said the same about Afghanistan, Iran, or Pakistan. The official U.S. neglect of the Mexican cartels is partly a function of the complex challenges they present. Violence connected with DTOs is no longer limited to northern Mexico but now reaches throughout the country. This expansion not only poses a foreign policy problem for Washington, but it also exacerbates several of the most intractable domestic issues facing the United States, including immigration reform and gun control. A first step toward controlling the cartels would be to better understand how they function. The Mexican drug-trafficking organizations are a collection of criminal enterprises. Some, such as the Gulf cartel, have existed for decades; others, such as Los Gueros, are relative newcomers. Because of shifting alliances and breakaway cells, it is almost impossible to state definitively which cartels are in operation at any one time, and the extent of the crime, corruption, and instability associated with them has been difficult to quantify precisely. Without a clearer idea of what the DTOs are doing, the violence will only continue. “The Cartels Are Focused on Drugs.” Drugs are just the tip of the iceberg. In the popular U.S. television series Breaking Bad, about a high school teacher turned methamphetamine kingpin, there was an instructive exchange. When the show’s antihero, Walter White, was asked whether he “was in the meth business or the money business,” he replied, “I’m in the empire business.” The same can be said of the DTOs, which are independent and competing entities — not an association like OPEC. The sale of cocaine, heroin, marijuana, and meth remains extremely profitable. The U.S. Justice Department has put the cartels’ U.S. drug trade at $39 billion annually. But the DTOs have diversified their business considerably, both to increase their profits and to exclude rivals from new sources of revenue. For example, they are dealing increasingly in pirated intellectual property, like counterfeit software, CDs, and DVDs. The most destructive new “product,” however, is people. The cartels have built a multibillion-dollar business in human trafficking, including the shipment of both illegal immigrants and sex workers. What the DTOs are really selling is logistics, much like Wal-Mart and Amazon.com. Wal-Mart was one of the first retailers to run its own fleet of trucks, providing tailored shipping at a lower cost that in turn gave the company an edge over its competitors. Similarly, Amazon may have started as a bookseller, but its dominance, as Fast Company put it, is “now less about what it sells than how it sells,” providing a distribution hub for all sorts of products. Drug-trafficking organizations are using the same philosophy to cut costs, better control distribution, and develop new sources of revenue. The one element of the U.S.-Mexico relationship that has received no shortage of attention is the border, yet the technology and money dedicated to enhancing security there have not been enough to thwart creative DTOs. The Sinaloa cartel, for example, has an extensive network of expertly constructed tunnels under the border, some featuring air-conditioning. (The workers who build the tunnels are frequently executed after the work is completed.) At the other extreme, traffickers have used catapults to launch deliveries from Mexico into the United States. Logistics, then, are the DTOs’ main source of revenue, and illegal drugs are but one of the products they offer. As the cartels’ revenue streams become increasingly diversified, the drug trade will become less and less important. In fact, the prospect of the DTOs’ selling their services to terrorists, say by transporting weapons of mass destruction across the U.S.-Mexico border, has begun to frighten analysts both inside and outside government.

#### Extinction

Bunn & Roth 18[Matthew Bunn and Roth 18, Nickolas, research associate with the Project on Managing the Atom at Harvard Kennedy School’s Belfer Center for Science and International Affairs, Matthew Bunn is professor of practice and co-principal investigator with the Project on Managing the Atom, 9/28/17, “The effects of a single terrorist nuclear bomb”, <https://thebulletin.org/2017/09/the-effects-of-a-single-terrorist-nuclear-bomb/>

And what standards of international order and law would still hold sway? The country attacked might well lash out militarily at whatever countries it thought might bear a portion of responsibility. (A terrifying description of the kinds of discussions that might occur appeared in Brian Jenkins’ book, Will Terrorists Go Nuclear?) With the nuclear threshold already crossed in this scenario—at least by terrorists—it is conceivable that some of the resulting conflicts might escalate to nuclear use. International politics could become more brutish and violent, with powerful states taking unilateral action, by force if necessary, in an effort to ensure their security. After 9/11, the United States led the invasions of two sovereign nations, in wars that have since cost hundreds of thousands of lives and trillions of dollars, while plunging a region into chaos. Would the reaction after a far more devastating nuclear attack be any less?¶ In particular, the idea that each state can decide for itself how much security to provide for nuclear weapons and their essential ingredients would likely be seen as totally unacceptable following such an attack. Powerful states would likely demand that others surrender their nuclear material or accept foreign troops (or other imposed security measures) to guard it.¶ That could well be the first step toward a more profound transformation of the international system. After such a catastrophe, major powers may feel compelled to more freely engage in preventive war, seizing territories they worry might otherwise be terrorist safe havens, and taking other steps they see as brutal but necessary to preserve their security. For this reason, foreign policy analyst Stephen Krasner has argued that “conventional rules of sovereignty would be abandoned overnight.” Confidence in both the national security institutions of the country attacked and international institutions such as the International Atomic Energy Agency and the United Nations, which had so manifestly failed to prevent the devastation, might erode. The effect on nuclear weapons policies is hard to predict: One can imagine new nuclear terror driving a new push for nuclear disarmament, but one could also imagine states feeling more certain than ever before that they needed nuclear weapons.

### 1AC – Solvency – Cartels

#### Plan: The Member Nations of the World Trade Organization Should Terminate current and ban secondary patents for opioid pain killers

#### Ask in cross for further Specification – I will meet reasonable interps we should avoid a theory debate.

TAF 20 [The Arnold Foundation “'Evergreening' Stunts Competition, Costs Consumers and Taxpayers” Published: September 24, 2020] [https://www.arnoldventures.org/stories/evergreening-stunts-competition-costs-consumers-and-taxpayers/] [TAF: Philanthropy dedicated to tackling problems in the US. Team of more than 90 subject matter experts in Houston, with offices in New York and DC.]

As the Evergreen Drug Patent Search makes clear, the positive impact of Hatch-Waxman has been steadily and severely eroded by a regulatory system vulnerable to increasingly sophisticated forms of manipulation. “You might say that the patent and regulatory system has been weaponized,” Feldman said. “When billions of dollars are at stake, there’s a lot of money available to look for ways to exploit the legal system. And companies have become adept at this, as our work has found.” There are several key steps that Congress could take to restore the balance between innovation and competition that is the key to a successful prescription drug regulatory process. These may include: Imposing restrictions on the number of patents that prescription drug manufacturers can defend in court to discourage the use of anticompetitive patent thickets. Limiting the patentability of so-called secondary patents — which don’t improve the safety or efficacy of a drug — through patent and exclusivity reform. Reforming the 180-day generic exclusivity, which can currently be abused to block other competitive therapies. “The Evergreen Drug Patent Search provides the publicly available, evidence-based foundation that defines the extent of the problem, and it can be used to develop policies that solve the problem of anti-competitive patent abuses,” said Kristi Martin, VP of Drug Pricing at Arnold Ventures. “Our incentives have gotten out of whack,” Martin said. “The luxury of monopoly protection should only be provided to innovations that provide meaningful benefits in saving lives, curing illnesses, or improving the quality of people’s lives. It should not be provided to those gaming the system. If we can change that, we can save consumers, employers, and taxpayers many billions of dollars while increasing the incentives for pharmaceutical companies to achieve breakthroughs."

#### The plan is key – Other stratagies can’t solve patent abuse

Foley 17[Katherine Ellen Foley, a health reporter for Quartz based in Washington, D.C. She holds an M.A. in journalism from NYU's Science, Health and Environmental Reporting Program (SHERP 33), and her undergraduate degree is from Georgetown University's School of Foreign Service, where she studied science, tech and international affairs, 11-18-2017, “Big Pharma is taking advantage of patent law to keep OxyContin from ever dying” Quartz, Accessed 7-21-2021, <https://qz.com/1125690/big-pharma-is-taking-advantage-of-patent-law-to-keep-oxycontin-from-ever-dying/> ww

The US opioid epidemic seems to many to have come out of nowhere, and there’s been much finger-pointing in recent years about how this state of affairs came to be. Some have argued that inadequate mental healthcare is to blame. Others have postulated that doctors were naively over prescribing them as a way to quickly treat pain and please their patients. But, according to a recently published draft report, at least some of the blame should be attributed to the way pharmaceutical companies have manipulated patent extensions over the past decade.¶ In the 1970s and 80s, doctors were looking for better ways to control pain, and many believed opioids a good, non-addictive option. In the 1990s, drug manufacturers began aggressively marketing the painkillers to doctors and patients. Soon, patients (or their loved ones who stole their pills) were developing tolerances for low doses, and graduated to abusing the drugs by crushing them and either snorting or liquefying and injecting the powders, or turning to heroin, often fatally. By the time the science caught up in the early 2000s, it was too late: Thousands of people were addicted to opioids. Opioids have killed over 560,000 people in the US since 2000. Last month, president Donald Trump declared the crisis a public health emergency.¶ Pharmaceutical companies profited from this demand, and the exclusive rights they had to make these compounds. This allowed them to pump even more money into marketing, which inevitably led to doctors prescribing more of them.¶ From the moment a drug company patents a compound, it has 20 years of exclusive manufacturing and selling rights on it. In theory, a company’s monopoly on a drug dissolves after its patents expire and generics flood the market. But drug companies usually file for patents in the discovery stages as a way of staking their territory in the field. The approval process for drugs from the US Food and Drug Administration involves lengthy clinical trials, which usually take around 12 years—meaning that manufacturers typically only get to actually sell their drugs exclusively for about eight years before generics come onto the market. So they often seek ways to extend this exclusive period.¶ Perhaps the most common way is to change a drug ever so slightly. For example, a company can file a new patent if it makes a version of a drug with a slightly different dosage, or with a different way it’s released in the body over time.¶ “Our patent system doesn’t require something to be better, just different,” says Robin Feldman, the director of the Institute for Innovation Law at the University of California Hastings College of Law. “Rather than creating new medicines, pharmaceutical companies are largely recycling and repurposing [drugs].” The manufacturer can then hold off generic competition for a few more years. Competitors (or anyone else) could theoretically make the case in court that these compounds aren’t actually different, but the legal battle would likely be too costly and time consuming to be worth it.¶ Feldman, together with Connie Wang, a law student at Stanford University, meticulously went through a decade’s worth of versions of the US Food and Drug Administration’s “Orange Book” and US Patent and Trademark Office website listings to investigate the relationship between patent filings, exclusivity extensions, and drug approvals. They found that of the 100 best-selling drugs from 2005 to 2015, about 80% had a patent extension filed on them at least once. About 50% of these drugs had multiple extensions.¶ That, Feldman argues, can create a dangerous cycle. “The immense monopoly profits allow drug companies like Purdue to aggressively market their drugs to doctors,” explains Feldman. “Physicians preferentially prescribe these particular drugs. Where drugs are addictive and problematic, that’s dangerous.”¶ Purdue Pharma is the company behind one of the most popular prescription opioids. OxyContin first came on the market in 1996 and has since brought in billions of dollars of revenue. Purdue’s patent for OxyContin was originally supposed to expire in 2013. But by making minor tweaks to the drug’s chemical structure to create a slow-release pill the company markets as “abuse-proof,” Purdue has been able to file new patents for OxyContin 13 times with the US Patent and Trademark Office over the past decade, thereby extending its exclusive selling rights on the drug through 2030.¶ Purdue did not respond directly to Feldman’s analysis when forwarded a copy by Quartz, instead providing a statement noting, “One potentially important step towards the goal of creating safer opioid analgesics has been the development of opioids that are formulated to deter abuse. FDA considers the development of these products a high public health priority. Purdue reformulated OxyContin with abuse-deterrent properties recognized by FDA, and the Patent and Trademark Office granted Purdue patents for inventions that went into the development of those properties.”¶ The most prominent example is a patent Purdue filed in 2003 for “abuse-proof” OxyContin. It was made of materials that are harder to crush, and forms a gel that is more viscous and harder to inject. In theory, it would make for a safer alternative to regular OxyContin. However, the same patent claims that “intravenous administration of such a gel would most probably result in obstruction of blood vessels, associated with serious embolism or even death of the abuser.” In all likelihood, people crushing these pills to get high would still seriously harm, if not kill, themselves.¶ Technically, the abuse-proof pills worked: When researchers from Washington University in St. Louis informally surveyed more than 2,500 people taking opioids to see if this pill really was more abuse-proof than before, they found that the number of people who admitted to using it to get high dropped from about 35% to about 13% two years later. However, two thirds of respondents said they had switched to other opioids instead—often heroin, which is less expensive and easy to use.¶ It’s not Purdue’s fault doctors kept prescribing (and overprescribing) these pills in an attempt to alleviate pain, nor that the loved ones of patients often took instead to get high. It’s also not the company’s fault there weren’t better resources for those who found themselves addicted—drugs like buprenorphine, methadone and naltrexone can help ease addiction, but as recently as 2016, they still weren’t being given to patients in two-thirds of US addiction clinics.¶ That said, Purdue spent many years and huge sums of money convincing doctors that OxyContin was non addictive. In fact, the company has paid over $600 million in fines to federal and state agencies, as well as individual patients, to settle claims that it falsely marketed OxyContin as safe from abuse. Three of the company’s executives pled guilty to “misbranding,” which is a criminal violation.¶ The company is still profiting off “abuse-deterrent” OxyContin. Though there are currently “authorized generics” of OxyContin available, these are made by manufacturers with licenses to use Purdue’s formula. In other words, Purdue makes money off them. And there are currently no approved abuse-deterrent generics in the US. In September of this year, FDA commissioner Scott Gottlieb said that soon the agency plans to issue guidelines to assist companies who are trying to file applications for these types of generics. No word on when that document will be published, however.

#### The plan is key – reducing the demand of illicit opioids is the only way to solve cartel influence in South America

Kim 17 [Jacob J. Kim, is a U.S. Army Foreign Area Officer specializing in the Latin American and Northeast Asian regions. He holds a Master of Arts degree in Latin American Studies from the University of California Los Angeles and published his thesis Mexican Drug Cartel Influence in Government, Society, and Culture in 2014. He is currently pursuing a Doctor of Education degree at Johns Hopkins University., 8-28-2017,“Solving the Opioid National Security Crisis” Real Clear Defense, Accessed 9-24-2021, <https://www.realcleardefense.com/articles/2017/08/28/solving_the_opioid_national_security_crisis_112158.html> ww

Opioid addiction in the United States has quickly become a complex crisis with enormous implications. Overdose deaths involving opioids nearly tripled from 1999 to 2014, and they currently claim the lives of approximately 142 people every day.[1], [2] Experts say opioid related deaths could kill nearly 500,000 Americans in the next decade.[3] The greatest culprits and beneficiaries of this epidemic are Mexico’s drug cartels, which provide more than 90 percent of America’s heroin and rake in billions in profit.[4] As long as demand for the drug in the U.S. remains high, Mexico’s drug traffickers and cartels will continue to flourish. Significantly decreasing demand for illicit opioids in the U.S. is the most effective way to reduce the power of these cartels, and this can only be done through a combination of education, legalization, and effective medical treatment.¶ One Problem Fuels the Other¶ America’s addiction to illicit drugs is the Mexican drug cartels’ primary source of income. It has always been this way, but the drug of choice has changed. Trafficking of opioids such as fentanyl and heroin is now more profitable than marijuana and cocaine, and cartels have ramped up local production of opioids significantly since 2013.[5] The profitability of opioids has become so high that gangs of rival drug cartels in Mexico are going to war to control poppy fields, which the federal government struggles to find and destroy.[6] In the U.S., the demand for opioids shows no sign of abating, as addicts in all 50 states abuse everything from overprescribed OxyContin to more lethal opioids such as fentanyl and heroin. If the demand for opioids in the U.S. were to decrease, Mexican drug cartels would likely lose a proportional amount of money and power.

### Framing

#### The standard is Maximizing expected well-being –

#### 1] Binding – pain and pleasure are the only things with intrinsic value and disvalue – if I put my hand on a hot stove I will pull away – ethics must be binding bc if they arent then its impossible to generate obligations

#### 2] Death is bad – it’s impossible to pursue pleasure if you are dead, that means that we should always try to prevent death to give subjects the ability to pursue pleasure.

#### 3] Actor specificity – Governments have the obligation to maximize the pleasure of their citizens – proven through laws that are desiged to stop pain towards other subjects – Drunk driving laws, murder, robbery ect.

4] Moral uncertainty means extinction first  
**Bostrom 12** [Nick Bostrom. Faculty of Philosophy & Oxford Martin School University of Oxford. “Existential Risk Prevention as Global Priority.” Global Policy (2012)]  
These reflections on **moral uncertainty suggest** an alternative, complementary way of looking at existential risk; they also suggest a new way of thinking about the ideal of sustainability. Let me elaborate.¶ **Our present understanding of axiology might** well **be confused. We may not** nowknow — at least not in concrete detail — what outcomes would count as a big win for humanity; we might not even yet **be able to imagine the best ends** of our journey. **If we are** indeedprofoundly **uncertain** about our ultimate aims,then we should recognize that **there is a great** option **value in preserving** — and ideally improving — **our ability to recognize value and** to **steer the future accordingly. Ensuring** that **there will be a future** version of **humanity** with great powers and a propensity to use them wisely **is** plausibly **the best way** available to us **to increase the probability that the future will contain** a lot of **value.** To do this, we must prevent any existential catastrophe.

### 1AC – Underview – Generic

#### 1] 1ar theory is legit, DTD, CI, No RVI’s and the highest layer of the round–

#### A] The neg could be infinitely abusive in the 1nc and I would have no recourse which makes it impossible for the aff to win

#### B] They shouldn’t get an RVI because it encourages them to bait theory in the 1nc and prep it out which makes allows for abuse to be encouraged because they will win it every time.

#### C] They have 6 mins to answer it while I only have 3 mins to flesh it out and make it a voter which means they don’t need the RVI

#### 2] P&P affirm –

#### 1] Statements are true before false since if I told you my name, you’d believe me.

#### 2] Illogical – presuming statements false is illogical since you can’t say things like P and ~P are both wrong.

#### 3] To negate means to deny the truth of, which means if there isn’t offense to deny the truth of you should affirm.

#### 4] Otherwise we’d have to have a proactive justification to do things like drink water.

#### 5] Affirming is harder – aff flex outweighs – 13-7 time skew and 6-minute collapse gives the negative the strategic advantage and forces me to split 1AR time. The NC can up layer, restart the round and have time to generate offense that matters.

#### 3] The neg must check interps in cross, the aff speaks in the dark, and an infinite number of bidirectional interps means that I will always violate something, they need to ask me in cross for us to check

#### 4] I get the RVI on any 1NC theory shell

#### A]Time skew – I only have 4 mins to answer the shells – the shell prob takes 20 seconds to read but at least 40 seconds to answer well enough to not auto lose that means I should get the RVI because it’s the only way for the aff to have any chance of winning

#### B] Deterrence – deters people from reading friv theory and encourages a substantive debate

### 1AC – Method – Zannoti

#### Use of legal solutions as a heuristic recodes hegemonic conceptions of agency and articulates power as a contingently created system that can be infiltrated and changed – refusing the law fails to capture any of the dialogic benefits of this methodology.

Zanotti 14 Dr. Laura Zanotti, Associate Professor of PoliSci, Virginia Tech. “Governmentality, Ontology, Methodology: Re-thinking Political Agency in the Global World.” Alternatives: Global, Local, Political, Vol. 38, p. 288-304. A little unclear if this is late 2013 or early 2014 – the stated “Version of Record” is Feb 20, 2014, but was originally published online on December 30th, 2013.

By questioning substantialist representations of power and subjects, inquiries on the possibilities of political agency are reframed in a way that focuses on power and subjects’ relational character and the contingent processes of their (trans)formation in the context of agonic relations. Options for resistance to governmental scripts are not limited to ‘‘rejection,’’ ‘‘revolution,’’ or ‘‘dispossession’’ to regain a pristine ‘‘freedom from all constraints’’ or an immanent ideal social order. It is found instead in multifarious and contingent struggles that are constituted within the scripts of governmental rationalities and at the same time exceed and transform them. This approach questions oversimplifications of the complexities of liberal political rationalities and of their interactions with non-liberal political players and nurtures a radical skepticism about identifying universally good or bad actors or abstract solutions to political problems. International power interacts in complex ways with diverse political spaces and within these spaces it is appropriated, hybridized, redescribed, hijacked, and tinkered with. Governmentality as a heuristic focuses on performing complex diagnostics of events. It invites historically situated explorations and careful differentiations rather than overarching demonizations of ‘‘power,’’ romanticizations of the ‘‘rebel’’ or the ‘‘the local.’’ More broadly, theoretical formulations that conceive the subject in non-substantialist terms and focus on processes of subjectification, on the ambiguity of power discourses, and on hybridization as the terrain for political transformation, open ways for reconsidering political agency beyond the dichotomy of oppression/rebellion. These alternative formulations also foster an ethics of political engagement, to be continuously taken up through plural and uncertain practices, that demand continuous attention to ‘‘what happens’’ instead of fixations on ‘‘what ought to be.’’83 Such ethics of engagement would not await the revolution to come or hope for a pristine ‘‘freedom’’ to be regained. Instead, it would constantly attempt to twist the working of power by playing with whatever cards are available and would require intense processes of reflexivity on the consequences of political choices. To conclude with a famous phrase by Michel Foucault ‘‘my point is not that everything is bad, but that everything is dangerous, which is not exactly the same as bad. If everything is dangerous, then we always have something to do. So my position leads not to apathy but to hyper- and pessimistic activism.’’84

#### Fiat is illusory but using the state as a heuristic still means we learn contingent strategies that avoid pitfalls of overly foundational theorizing

Zanotti 14 Dr. Laura Zanotti, Associate Professor of PoliSci, Virginia Tech. “Governmentality, Ontology, Methodology: Re-thinking Political Agency in the Global World.” Alternatives: Global, Local, Political, Vol. 38, p. 288-304. A little unclear if this is late 2013 or early 2014 – the stated “Version of Record” is Feb 20, 2014, but was originally published online on December 30th, 2013.

While there are important variations in the way international relations scholars use governmentality theory, for the purpose of my argument I identify two broad trajectories.2 **One body of scholarship uses government**ality **as a heuristic tool** **to explore** modalities of local and international **government and to assess** their **effects in** the **contexts where they are deployed**; **the other adopts** this notion as **a descriptive tool** to theorize the globally oppressive features of international liberalism. **Scholars who use government**ality **as a heuristic tool** **tend to** **conduct inquiries based upon** analyses of practices of government and resistance. These scholars **rely on** ethnographic inquiries, emphasizes **the** multifarious **ways government works in practice** (**to include its oppressive trajectories**) **and the ways** uneven interactions of **government**al **strategies** and resistance **are contingently enacted.** As examples, Didier Bigo, building upon Pierre Bourdieu, has encouraged a research methodology that privileges a relational approach and focuses on practice;3 William Walters has advocated considering governmentality as a research program rather than as a ‘‘depiction of discrete systems of power;’’4 and Michael Merlingen has criticized the downplaying of resistance and the use of ‘‘governmentality’’ as interchangeable with liberalism.5 Many other scholars have engaged in contextualized analyses of governmental tactics and resistance. Oded Lowenheim has shown how ‘‘responsibilization’’ has become an instrument for governing individual travelers through ‘‘travel warnings’’ as well as for ‘‘developing states’’ through performance indicators;6 Wendy Larner and William Walters have questioned accounts of globalization as an ontological dimension of the present and advocated less substantialized accounts that focus on studying the discourses, processes and practices through which globalization is made as a space and a political economy;7 Ronnie D. Lipschutz and James K. Rowe have looked at how localized practices of resistance may engage and transform power relations;8 and in my own work, I have studied the deployment of disciplinary and governmental tools for reforming governments in peacekeeping operations and how these practices were hijacked and resisted and by their targets. **Scholars who use government**ality **as a descriptive tool** **focus instead on one particular trajectory of** global **liberalism, that** is on the convergence of knowledge and scrutiny of life processes (or biopolitics) and violence and theorize global **liberalism as a**n extremely effective formation, a coherent and **powerful Leviathan**, **where** biopolitical **tools and violence come together to serve** **dominant** classes or **state**s’ political **agendas**. As I will show, Giorgio Agamben, Michael Hardt and Antonio Negri, and Sergei Prozorov tend to embrace this position.10 **The distinction between government**ality **as a heuristic** **and government**ality **as a descriptive tool is central for debating political agency**. **I argue that**, notwithstanding their critique of liberalism, **scholars who use government**ality **as a descriptive tool** **rely on the same ontological assumptions as the liberal order they criticize** **and** do move away from Foucault’s focus on historical practices in order to **privilege abstract theorizations**. **By using government**ality **as a description** of ‘‘liberalism’’ or ‘‘capitalism’’ instead of as a methodology of inquiry on power’s contingent modalities and technologies, **these scholars tend to reify** a substantialist ontology that ultimately reinforces a liberal conceptualization of subjects and power as standing in a relation of externality and stifles the possibility of reimagining political agency on different grounds. ‘‘**Descriptive governmentality’’** **constructs a critique** of the liberal international order **based** up**on** **a**n ontological **framework that presupposes that power and subjects are entities** possessing qualities **that preexist relations**. Power is imagined as a ‘‘mighty totality,’’ and subjects as monads endowed with potentia. As a result, the problematique of political agency is portrayed as a quest for the ‘‘liberation’’ of a subject ontologically gifted with a freedom that power inevitably oppresses. In this way, the conceptualization of political agency remains confined within the liberal struggle of ‘‘freedom’’ and ‘‘oppression.’’ Even researchers who adopt a Foucauldian vocabulary end up falling into what Bigo has identified as ‘‘traps’’ of political science and international relations theorizing, specifically essentialization and ahistoricism. **I argue** here **that** in order to reimagine political agency an ontological and epistemological turn is necessary, one that relies upon a relational ontology. Relational ontological positions question adopting abstract stable entities, such as ‘‘structures,’’ ‘‘power,’’ or ‘‘subjects,’’ as explanations for what happens. Instead, they explore how these pillar concepts of the Western political thought came to being, what kind of practices they facilitate, consolidate and result from, what ambiguities and aporias they contain, and how they are transformed.12 Relational ontologies nurture **‘‘modest’’** **conceptualizations of political agency** and also **question the** overwhelming stability of ‘‘mighty totalities,’’ such as for instance the international liberal order or **the state**. **In this framework**, **political action has more to do with playing with the cards** that are **dealt to us to produce practical effects in specific contexts than** with **building idealized** ‘‘new totalities’’ **where perfect conditions might exist. The political ethics that results** from non-substantialist ontological positions is one that privileges ‘‘modest’’ engagements and **weights political choices with regard to the consequences and** distributive **effects they may produce** in the context where they are made **rather than based upon their universal normative aspirations.**13