

**Mina approves of this 1nc – this is true, please don’t fact check it**

### 1

#### Interpretation - Affirmatives must specify and separately delineate an enforcement mechanism used to reduce intellectual property protections for medicines

#### Violation: they don’t

#### Standards

#### 1] Shiftiness- They can redefine the 1AC’s enforcement mechanism in the 1AR which allows them to recontextualize their enforcement mechanism to wriggle out of DA’s since all DA links are predicated on type of enforcement i.e. international perception das, econ da, research da’s that may apply to certain medicines but not all or only to specific countries.

#### 2] Real World- Policy makers will always specify how the mandates of the plan should be endorsed. It also means zero solvency, absent spec, voters can circumvent the Aff’s policy since there is no delineated way to enforce the affirmative which means there’s no way to actualize any of their solvency arguments.

#### ESpec isn’t regressive or arbitrary- it’s an active part of drafting ban treaties and is central to any advocacy about the reduction of medical IPs since the only uniqueness of a reduction is how effective its enforcement is

#### Fairness – Debate is a competitive activity and the better debater must win. Education – it’s the only portable skill we take out of round.

#### Drop the debater – 1] a loss deters future abuse 2] dropping the arg severs from your original advocacy which creates a 7-6 timeskew when you read new offense.

#### Competing interps – 1] Your brightline is arbitrary and based on what you did rather than the best one. 2] Collapses – offense defense debate about your brightline is competing interps.

#### No RVI on T – 1] logic – you shouldn’t win for being cheating and being a moving target – outweighs since logic is a litmus test for arguments. 2] they encourage you to read an abusive aff and prep out T. 3] enables us to return to substance and get that education rather than debating T the whole time.

### 2

#### The affirmative is a futile compromise in the battlefield of capitalism. Even softening ip protections will not resolve contradictions and inequalities in society but only preserve laborers needed for the capitalist economy to function.

Rikowski 2006 (“A Marxist Analyhsis of the World Trade Organization’s Agreement on Trade-Related Aspects of Intellectual Property Rights.” By Ruthe Rikowski (Lecturer at London South Bank University. Senior Edoitor for Chandos Information Processional Series, and author of multiple books and journal articles.) Volume 4, Number 4 2006 of Policy Futures in Education. <https://journals.sagepub.com/doi/pdf/10.2304/pfie.2006.4.4.396>) 0:24

Fundamentally, it will be impossible to implement TRIPS in a way that will significantly benefit the developing world, because of the inherent inequalities and contradictions that are built into the very fabric of global capitalism itself. Furthermore, the drives of capital are infinite; it will never be satisfied. So, there will never come a point where it will be decided that the inequalities need to be lessened in any fundamental way. Instead, TRIPS, as a tool which aids the furtherance of global capitalism, is likely to increase the inequalities. Furthermore, inequalities and poverty will only ever be lessened (and largely on a temporary basis) when pressure is placed on those in positions of power. In regard to TRIPS this rests on putting pressure on the WTO through organisations such as the Third World Network and various NGOs in order to soften some of the most worrying of the implications of TRIPS for the poor and those in the developing world.

However, capitalism is a battlefield upon which various compromises are and can only ever be made, but it can never ultimately be for the benefit of the labourer and the poor. To change the situation on a permanent basis, we need to terminate capitalism and replace it with socialism and eventually with communism in my opinion.

#### Capitalism created international law to spread capitalism. Any agreements on an international level by countries comes with it expanding their interest to other parties yet large power players can disregard those same laws as there is an unequal relationship between states, altering how institutional organizations function

Chimni 17 (“Towards an Integrated Marxist Approach to International Law (IMAIL) In International Law and World Order: A Critique of Contemporary Approaches (pp. 440-550). by B.S. Chimni (Legal scholar, Distinguished Professor of International Law at Jindal Global Law School and served on the Academic Advisory Committee of the Office of the United Nations High Commissioner for Refugees from 96-00) ambridge: Cambridge University Press. doi:10.1017/9781107588196.009) 0:43

First, he noted that ‘the spread and development of international law occurred on the basis of the spread and development of the capitalist mode of production’. 109 That is to say, ‘the victory of the bourgeoisie, in all the European countries, had to lead to the establishment of new rules and new institutions of international law which protected the general and basic interests of the bourgeoisie, i.e., bourgeois property’. 110 But Pashukanis recognized that while ‘as a separate force which set itself off from society, the state only finally emerged in the modern capitalist bourgeois period’ it by no means followed that ‘the contemporary forms of international legal intercourse, and the individual institutions of international law, only arose in the most recent times’. 111 Since exchange relations existed among tribes and communities, international law was prevalent among the earliest ancient legal institutions that existed. In this period international law helped resolve disputes, including territorial disputes, between tribes. 112 In these contexts Pashukanis went on to touch upon developments in Greek and Roman law. 113 However, he emphasized that it is only in the capitalist period ‘having subordinated itself to the state machine, the bourgeoisie brought the principle of the public nature of authority to its clearest expression’, and therefore ‘the state only fully becomes the subject of international law as the bourgeois state ’. 114 In the same way as an individual assumed the quality of a legal subject only under capitalism, the state becomes the subject of international law only as a capitalist state.

Second, responding to the eternal question as to whether international law is law, Pashukanis noted that ‘bourgeois jurisprudence has devoted a great amount of fruitless effort in solving this contradiction’. 115 According to Pashukanis, the answer to the question whether international law is law lies in – here he anticipates classical realists like Hans Morgenthau – ‘the real balance of forces’ between bourgeois states. 116 He, of course, recognized that ‘within the limit set by a given balance of forces, separate questions may be decided by compromises and by exchange i.e., on the basis of law’. 117 But international law was likely to be disregarded when the interests of a state so demanded. 118 This was especially so in periods of crisis when the balance of forces ‘fluctuated seriously’ and when ‘vital interests’ or the ‘very existence of a state’ was threatened. 119 Pashukanis mentioned in this regard the period of 1914– 1918  ‘during which both sides continuously violated international law’. 120 However, he went on to make the acute observation that ‘every state in violating international law also tries to depict the matter as if there has been no violation whatsoever’. 121 The reason is that ‘the open denial of international law is politically unprofitable for the bourgeoisie since it exposes them to the masses and thus hinders preparations for new wars. It is much more profitable for the imperialists to act in the guise of pacifism and as the champions of international law’. 122

Third, Pashukanis rejected technical definitions of international law advanced by bourgeois international lawyers from which ‘the class character of international law’ was absent. 123 In his view, ‘bourgeois jurisprudence consciously or unconsciously strives to conceal the element of class’. 124 On his part he noted the links between capitalism and imperialism, and inter- imperialist competition, and observed that the capitalist countries divided the world into civilized and semi- civilized revealing ‘modern international law as the class law of the bourgeoisie ’. 125 According to Pashukanis, international law of his times was ‘the totality of norms which the capitalist bourgeois states apply in their relations with each other, while the remainder of the world is considered as a simple object of their completed transactions’. 126 Pashukanis was certainly right as ‘the real historical content of international law’ in this period was ‘the struggle between capitalist states’. 127 In fact international law owed ‘its existence to the fact that the bourgeoisie exercise(d) its domination over the proletariat and over the colonial countries’. 128 It was therefore indeed the class law of the bourgeoisie.

Fourth, he noted with respect to the assertion of basic or equal rights of states under international law that ‘it is most obvious that we are dealing here with ideas drawn from the sphere of civil law relationships with a basis in equality between the parties’. 129 He conceded that ‘to a certain degree the analogy may be extended. Bourgeois private law assumes that subjects are formally equal yet simultaneously permits real inequality in property, while bourgeois international law in principle recognizes that states have equal rights yet in reality they are unequal in their signifi-cance and their power’. 130 Therefore, at the level of political economy there was only ‘a difference in degree’ between domestic law and international law. 131 But he also went on to observe that the ‘dubious benefits of formal equality are not enjoyed at all by those nations which have not developed capitalist civilization and which engage in international intercourse not as subjects, but as objects of the imperialist states’ colonial policy’. 132 In other words, he recognized that in the instance of colonized states the analogy between domestic law and international law collapsed.

Fifth, he criticized Marxist scholars such as Karl Renner for stressing the ‘peaceful functions of international law’. 133 Pashukanis pointed out that ‘even those agreements between capitalist states which appear to be directed to the general interest are, in fact, for each of the participants a means of jealously protecting their particular interests, preventing the expansion of their rivals’ influence, thwarting unilateral conquest, i.e., in another form continuing the same struggle which will exist for as long as capitalist competition exists’. 134 He extended this logic to international organizations and wrote that ‘the struggle among imperialist states for domination of the rest of the world is thus a basic factor in defining the nature and fate of the corresponding institutions’. 135

#### International Law’s foundation to preserve human rights and freedoms of all people have been twisted and turned to be used as another tool within the neoliberal regime to conquer and feed the military war machine while creating more human rights violations along the way.

Heuer and Schirmer 98 **(**“Human Rights Imperialism” by Uwe-Jens Heuer (member of the dem soc budestag group on questions of law and justice) and Dr Gregor Schirmer (assistant to heuer) Monthly Review March 1, 1998. Accessed 12-17-2012. [https://monthlyreview.org/1998/03/01/human-rights-imperialism**/**](https://monthlyreview.org/1998/03/01/human-rights-imperialism/)**) 0:25**

Human rights were embodied in international law for the first time half a century ago. According to the United Nations Charter, one of the goals of the organization is international cooperation “to advance and strengthen the respect of human rights and basic freedoms for all people, regardless of race, sex, language and religion.” The thirty articles of the Universal Declaration of Human Rights of 1948 set out in detail the UN Charter’s goal of international cooperation for the advancement of human rights and basic freedoms. The Convention on Prevention and Prosecution of Genocide of the same year is a great advance and landmark in the body of international law, binding on the states that have ratified it. These two achievements, which came at the very moment of the inception of the cold war, were due to the continuing democratic-antifascist impetus of the struggle and victory of the Anti-Hitler coalition in the Second World War. In the verdicts at Nuremberg the Nazi leaders were not only convicted of war crimes but also of crimes against humankind. The recognition of human rights in international law is thus a lasting triumph of the great antifascist coalition that split apart with the start of the cold war. But in its aspect as ideology (as opposed to its aspect as an element of international law), “human rights” became an effective weapon of the cold war and remains a heavily used propaganda tool of the new neoliberal global regime. It is on this distinction between human rights in international law and in (neo-imperial) ideology that we focus here.

The next great advance after 1948 came with the adoption of the two International Covenants, on Civil and Political Rights, and on Economic, Social and Cultural Rights, in 1966. These treaties are legally binding, but there is only an extremely weak mechanism for their implementation. The explicit inclusion of economic, social, and cultural rights as human rights within the scope of international law was a major accomplishment. It stands today as a reproach to orthodox neoliberal ideology, although it is characteristic that social rights are formulated as general goals to be gradually reached. These treaties were made in the context of that advance in human freedoms marked by the breakdown of the colonial system and the growth of the liberation movements. The primary international political actors have not been quick to ratify these treaties, which first took effect in 1976. The United States first joined the treaty on political rights in 1992, and still does not adhere to the treaty on social rights.

The human rights established in these and other universal and regional agreements are certainly not the *ne plus ultra* of the legal regulation of the development of human emancipation. But the world would certainly look completely different and much more just, were human rights to be realized like those recognized in Article 11 of the Covenant on Economic, Social and Cultural Rights (including the rights to food, clothing, shelter, and improvement of the conditions of life).

**II**

But the reality is different. In all parts of the world human rights were and are negated and trampled upon daily. One cause of the failure of the socialist states in Europe was the disregard of, and injury to, human rights. Today the countries which purport to be defenders of human rights, including Germany and the United States, disregard human rights in their own territories. In Germany there are continuous multiple violations of the human rights of non-EU foreign residents and of citizens of the former GDR. Hunger and poverty in the third world are denials of elementary human rights. In Rwanda, inhumane conditions degenerated into genocide.

In the case of grave injury to human rights, it seems clear that states should not remain passive in the name of non-intervention in the domestic affairs of another country. But this is just one side of the story. The other side is that the question of human rights was abused by the United States and NATO as a tool aimed at the destruction of what had been achieved in the socialist countries, is still abused as a vehicle for the assertion of hegemonic interests against the independence of states of the third world, and is ever more frequently accompanied by the use of military power. This is a dangerous development which can properly be designated human rights imperialism.

Henry Kissinger argued in his book, *The Reason of Nations*, that where Nixon, Ford, and Carter had found “human rights” to be useful in their political language, Reagan and his advisors went further and put “human rights” into the toolbox to be actively used in the destruction of “communism” and the “democratization” of the Soviet Union. How the ideology of “human rights” was used to deprive hundreds of millions of people of their social and economic rights requires more attention than it has so far received.

#### Cap causes extinction – nuclear war, environmental destruction, and social inequality.

**Brown, 05** (Charles, Professor of Economics and Research Scientist at the University of Michigan, 05/13/2005, <http://archives.econ.utah.edu/archives/pen-l/2005w15/msg00062.htm>) 0:26

The capitalist class owns the factories, the banks, and transportation-the means of production and distribution. Workers sell their ability to work in order to acquire the necessities of life. Capitalists buy the workers' labor, but only pay them back a portion of the wealth they create. Because the capitalists own the means of production, they are able to keep the surplus wealth created by workers above and beyond the cost of paying worker's wages and other costs of production. This surplus is called "profit" and consists of unpaid labor that the capitalists appropriate and use to achieve ever-greater profits. These profits are turned into capital which capitalists use to further exploit the producers of all wealth-the working class. Capitalists are compelled by competition to seek to maximize profits. The capitalist class as a whole can do that only by extracting a greater surplus from the unpaid labor of workers by increasing exploitation. Under capitalism, economic development happens only if it is profitable to the individual capitalists, not for any social need or good. The profit drive is inherent in capitalism, and underlies or **exacerbates all major social ills of our times**. With the rapid advance of technology and productivity, new forms of capitalist ownership have developed to maximize profit. The working people of our country confront serious, chronic problems because of capitalism. These chronic problems become part of the objective conditions that confront each new generation of working people. The threat of nuclear war, **which can destroy all humanity, grows** with the spread of nuclear weapons, space-based weaponry, and a military doctrine that justifies their use in preemptive wars and wars without end. Ever since the end of World War II, the U.S. has been constantly involved in aggressive military actions big and small. These wars have cost millions of lives and casualties, huge material losses, as well as trillions of U.S. taxpayer dollars. Threats to the environment continue to spiral, threatening all life on our planet. Millions of workers are unemployed or insecure in their jobs, even during economic upswings and periods of "recovery" from recessions. Most workers experience long years of stagnant real wages, while health and education costs soar. Many workers are forced to work second and third jobs to make ends meet. Most workers now average four different occupations during their lifetime, being involuntarily moved from job to job and career to career. Often, retirement-age workers are forced to continue working just to provide health care for themselves. With capitalist globalization, jobs move as capitalists export factories and even entire industries to other countries. Millions of people continuously live below the poverty level; many suffer homelessness and hunger. Public and private programs to alleviate poverty and hunger do not reach everyone, and are inadequate even for those they do reach. Racism remains the most potent weapon to divide working people. Institutionalized racism provides billions in extra profits for the capitalists every year due to the unequal pay racially oppressed workers receive for work of comparable value. All workers receive lower wages when racism succeeds in dividing and disorganizing them. In every aspect of economic and social life, African Americans, Latinos, Native Americans, Asian a nd Pacific Islanders, Arabs and Middle Eastern peoples, and other nationally and racially oppressed people experience conditions inferior to that of whites. Racist violence and the poison of racist ideas victimize all people of color no matter which economic class they belong to. The attempts to suppress and undercount the vote of the African American and other racially oppressed people are part of racism in the electoral process. Racism permeates the police, judicial and prison systems, perpetuating unequal sentencing, racial profiling, discriminatory enforcement, and police brutality. The democratic, civil and human rights of all working people are continually under attack. These attacks range from increasingly difficult procedures for union recognition and attempts to prevent full union participation in elections, to the absence of the right to strike for many public workers. They range from undercounting minority communities in the census to making it difficult for working people to run for office because of the domination of corporate campaign funding and the high cost of advertising. These attacks also include growing censorship and domination of the media by the ultra-right; growing restrictions and surveillance of activist social movements and the Left; open denial of basic rights to immigrants; and, violations of the Geneva Conventions up to and including torture for prisoners. These abuses all serve to maintain the grip of the capitalists on government power. They use this power to ensure the economic and political dominance of their class. Women still face a considerable differential in wages for work of equal or comparable value. They also confront barriers to promotion, physical and sexual abuse, continuing unequal workload in home and family life, and **male supremacist** ideology perpetuating unequal and often unsafe conditions. The constant attacks on social welfare programs severely impact single women, single mothers, nationally and racially oppressed women, and all working class women. The reproductive rights of all women are continually under attack ideologically and politically. Violence against women in the home and in society at large remains a shameful fact of life in the U.S.

**Capitalism is the overarching totality that governs all oppression.**

**McLaren et al, 4** (Peter and Valerie Scatamburlo-D’Annibale, University of Windsor, Ontario, University of California, 2004, *Educational Philosophy and Theory* Vol 36 No 2, “Class Dismissed? Historical Materialism and the politics of ‘difference,’”)

The cohesiveness of this position suggests that forms of **exploitation and oppression are related internally to the extent that they are located in the same totality**— one which is currently **defined by capitalist class rule. Capitalism is an overarching totality that is**, unfortunately, **becoming increasingly invisible in** post-Marxist **‘discursive’ narratives that valorize ‘difference’ as a primary explanatory construct.¶** For example, E. San Juan (2003) argues that **race relations and race conflict are necessarily structured by the larger totality of the political economy** of a given society, as well as by modifications in the structure of the world economy. He further notes that the capitalist mode of production has articulated ‘race’ with class in a peculiar way. He too is worth a substantial quotation:¶ While the stagnation of rural life imposed a racial or castelike rigidity to the peasantry, the rapid accumulation of wealth through the ever more intensifying exploitation of labor by capital could not so easily ‘racialize’ the wage-workers of a particular nation, given the alienability of labor- power—unless certain physical or cultural characteristics can be utilized to divide the workers or render one group an outcast or pariah removed from the domain of ‘free labor.’ **In the capitalist development of U.S. society, African, Mexican, and Asian bodies**—more precisely, their **labor power** and its reproductive efficacy—**were colonized and racialized**; hence the idea of ‘internal colonialism’ retains explanatory validity. ‘**Race’ is thus constructed out of raw materials furnished by class relations, the history of class conflicts, and the vicissitudes of** colonial/**capitalist expansion** and the building of imperial hegemony. **It is dialectically accented and operationalized** not just to differentiate the price of wage labor within and outside the territory of the metropolitan power, but also **to reproduce relations of domination**–subordination invested with an aura of naturality and fatality. The refunctioning of physical or cultural traits as ideological and political signifiers of class identity reifies social relations. Such ‘racial’ markers enter the field of the alienated labor process, concealing the artificial nature of meanings and norms, and essentializing or naturalizing historical traditions and values which are contingent on mutable circumstances.¶ For San Juan, **racism and nationalism are modalities in which class struggles articulate themselves at strategic points in history**. He argues that **racism arose with the creation and expansion of the capitalist world economy.** He maintains, rightly in our view, that racial or ethnic group solidarity is given ‘meaning and value in terms of their place within the social organization of production and reproduction of the ideological-political order; ideologies of racism as collective social evaluation of solidarities arise to reinforce structural constraints which preserve the exploited and oppressed position of these “racial” solidarities’.¶ It is remarkable, in our opinion, that **so much of contemporary social theory has largely abandoned the problems of labor, capitalist exploitation, and class analysis** at a time when capitalism is becoming more universal, more ruthless and more deadly. The metaphor of a contemporary ‘tower of Babel’ seems appropriate here—academics striking radical poses in the seminar rooms while remaining oblivious to the possibility that **their seemingly radical discursive maneuvers do nothing to further the struggles ‘against oppression and exploitation which continue to be real, material, and not merely “discursive” problems** of the contemporary world’ (Dirlik, 1997, p. 176). Harvey (1998, pp. 29–31) indicts the new academic entrepreneurs, the ‘masters of theory-in-and-for-itself’ whose ‘discourse radicalism’ has deftly side-stepped ‘the enduring conundrums of class struggle’ and who have, against a ‘sobering background of cheapened discourse and opportunistic politics,’ been ‘stripped of their self-advertised radicalism.’ For years, they ‘contested socialism,’ ridiculed Marxists, and promoted ‘their own alternative theories of liberatory politics’ but now they have largely been ‘reduced to the role of supplicants in the most degraded form of pluralist politics imaginable.’ **As they pursue the politics of difference, the ‘class war rages unabated’** and they seem ‘either unwilling or unable to focus on the unprecedented economic carnage occurring around the globe.’¶ Harvey’s searing criticism suggests that post-Marxists have been busy fiddling while Rome burns and his comments echo those made by Marx (1978, p. 149) in his critique of the Young Hegelians who were, ‘in spite of their allegedly “world- shattering” statements, the staunchest conservatives.’ Marx lamented that the Young Hegelians were simply fighting ‘phrases’ and that they failed to acknowledge that in offering only counter-phrases, they were in no way ‘combating the real existing world’ but merely combating the phrases of the world. Taking a cue from Marx and substituting ‘phrases’ with ‘discourses’ or ‘resignifications’ we would contend that the practitioners of difference politics who operate within exaggerated culturalist frameworks that privilege the realm of representation as the primary arena of political struggle question some discourses of power while legitimating others. Moreover, **because they lack a class perspective, their gestures of radicalism are belied by their own class positions**.10 As Ahmad (1997a, p. 104) notes:¶ One may speak of any number of disorientations and even oppressions, but one cultivates all kinds of politeness and indirection about the structure of capitalist class relations in which those oppressions are embedded. To speak of any of that directly and simply is to be ‘vulgar.’ In this climate of Aesopian languages **it is absolutely essential to reiterate that most things are a matter of class.** That kind of statement is ... surprising only in a culture like that of the North American university ... But it is precisely in that kind of culture that people need to hear such obvious truths.¶ Ahmad’s provocative observations imply that substantive analyses of the carnage wrought by ‘globalized’ class exploitation have, for the most part, been marginalized by the kind of radicalism that has been instituted among the academic Left in North America. He further suggests that while various post-Marxists have invited us to join their euphoric celebrations honoring the decentering of capitalism, the abandonment of class politics, and the decline of metanarratives (particularly those of Marxism and socialism), they have failed to see that the most ‘meta of all metanarratives of the past three centuries, the creeping annexation of the globe¶ for the dominance of capital over laboring humanity has met, during those same decades, with stunning success’ (Ahmad, 1997b, p. 364). As such, Ahmad invites us to ask anew, the proverbial question: What, then, must be done? To this question we offer no simple theoretical, pedagogical or political prescriptions. Yet we would argue that **if social change is the aim**, progressive educators and **theorists must cease displacing class analysis with the politics of difference.**

**The alternative is the communist hypothesis! Thought experiments like the alt allow us to hollow out capitalist spaces and destroy faith in the system.**

**Herod 04** – James Herod author of several books on capitalism and social activist since 1968 Getting Free 2004 http://site.www.umb.edu/faculty/salzman\_g/Strate/GetFre/06.htm (0:26)

It is time to try to describe, at first abstractly and later concretely, **a strategy for destroying capitalism**. This strategy, at its most basic**, calls for pulling time, energy, and resources out of capitalist civilization and putting them into building a new civilization**. The image then is **one of emptying out capitalist structures, hollowing them out, by draining wealth, power, and meaning out of them until there is nothing left but shells**. This is definitely **an aggressive strategy.** It **requires great militancy, and constitutes an attack on the existing order.** **The strategy clearly recognizes that capitalism is the enemy and must be destroyed,** but it is **not a frontal attack aimed at overthrowing the system, but an inside attack aimed at gutting it**, while simultaneously replacing it with something better, something we want. Thus **capitalist structures** (corporations, governments, banks, schools, etc.) **are not seized so much as simply abandoned. Capitalist relations are not fought so much as they are simply rejected**. We **stop participating in activities that support** (finance, condone) **the capitalist world and start participating in activities that build a new world while simultaneously undermining the old. We create a new pattern of social relations alongside capitalist relations and then we continually build and strengthen our new pattern while doing every thing we can to weaken capitalist relations.** In this way **our new democratic, non-hierarchical, non-commodified relations can eventually overwhelm the capitalist** relations **and force them out of existence**. This is how it has to be done. **This is a plausible, realistic strategy**. **To think that we could create a whole new world of decent social arrangements overnight**, in the midst of a crisis, during a so-called revolution, or during the collapse of capitalism**, is foolhardy**. **Our new social world must grow within the old, and in opposition to it, until it is strong enough to dismantle and abolish capitalist relations**. Such a **revolution will never happen automatically,** blindly, determinably, because of the inexorable, materialist laws of history. **It will happen, and only happen, because we want it to, and because we know what we’re doing and know how we want to live, and know what obstacles have to be overcome before we can live that way, and know how to distinguish between our social patterns and theirs.** But we must not think that the capitalist world can simply be ignored, in a live and let live attitude, while we try to build new lives elsewhere. (There is no elsewhere.) There is at least one thing, wage-slavery, that we can’t imply stop participating in (but even here there are ways we can chip away at it). **Capitalism must be explicitly refused and replaced by something else. This constitutes War, but it is not a war in the traditional sense of armies and tanks, but a war fought on a daily basis, on the level of everyday life**, by millions of people. **It is a war nevertheless because the accumulators of capital will use coercion, brutality, and murder, as they have always done in the past, to try to block any rejection of the system. They have always had to force compliance; they will not hesitate to continue doing so.** Nevertheless, **there are** many **concrete ways that** individuals, groups, and neighborhoods can **gut capitalism**, which I will enumerate shortly. We must always **keep in mind how we became slaves; then we can see more clearly how we can cease being slaves**. We were forced into wage-slavery because the ruling class slowly, systematically, and brutally destroyed our ability to live autonomously. **By driving us off the land, changing the property laws, destroying community rights, destroying our tools, imposing taxes, destroying our local markets**, and so forth, we were **forced onto the labor market in order to survive**, our only remaining option being to sell, for a wage, our ability to work. It’s quite clear then how **we can overthrow slavery. We must reverse this process. We must begin to reacquire the ability to live without working for a wage or buying the products made by wage-slaves** (that is, we must get free from the labor market and the way of living based on it), **and embed ourselves instead in cooperative labor** and cooperatively produced goods. Another clarification is needed. **This strategy does not call for reforming capitalism, for changing capitalism into something else. It calls for replacing capitalism, totally**, with a new civilization. This is an important distinction, because **capitalism has proved impervious to reforms, as a system**. We can sometimes in some places win certain concessions from it (usually only temporary ones) and win some (usually short-lived) improvements in our lives as its victims, but **we cannot reform it piecemeal, as a system**. Thus **our strategy of gutting and eventually destroying capitalism requires at a minimum a totalizing image, an awareness that we are attacking an entire way of life and replacing it with another, and not merely reforming one way of life into something else.** Many people may not be accustomed to thinking about entire systems and social orders, but everyone knows what a lifestyle is, or a way of life, and that is the way we should approach it. The thing is this: **in order for capitalism to be destroyed** millions and millions of **people must be dissatisfied with their way of life. They must want something else and see certain existing things as obstacles to getting what they want**. It is not useful to think of this as a new ideology. It is not merely a belief-system that is needed, like a religion, or like Marxism, or Anarchism. Rather **it is a new prevailing vision, a dominant desire**, an overriding need. **What must exist is a pressing desire to live a certain way**, and not to live another way. If this pressing desire were a desire to live free, to be autonomous, to live in democratically controlled communities, to participate in the self-regulating activities of a mature people, then capitalism could be destroyed. **Otherwise we are doomed to perpetual slavery and possibly even to extinction.** The content of this vision is actually not new at all, but quite old. **The long term goa**l of communists, anarchists, and socialists **has always been to restore community**. Even the great peasant revolts of early capitalism sought to get free from external authorities and restore autonomy to villages. Marx defined communism once as a free association of producers, and at another time as a situation in which the **free development of each is a condition for the free development of all**. Anarchists have always called for worker and peasant self-managed cooperatives. **The long term goals have always been clear**: to abolish wage-slavery, **to eradicate a social order organized solely around the accumulation of capital for its own sake, and to establish in its place a society of free people who democratically and cooperatively self-determine the shape of their social world**.

## Case

### framing

#### Extinction matters – we control the root cause of structural issues– if we control the cause of exploitation then we should win on the root cause debate on the k which we indicate that structural issues cause and will be the cause of extinction as contradictions cannot be resolved through the system

#### Our arg is contradictions in capitalism has theorized since the creation of history – if you buy into anticap- there is a pattern that happens with contradictions that are not able to be resolved – as seen through the different epochs of society – it’s necessary to see the culminated impact or else they don’t resolve access

#### The public nature of policy-making necessitates consequentialism.

Dan W. **Brock** is an American philosopher, bioethicist, and professor emeritus. He is the Frances Glessner Lee Professor Emeritus of Medical Ethics in the Department of Global Health and Social Medicine at Harvard Medical School, the former Director of the Division of Medical Ethics (now the Center for Bioethics) at the Harvard Medical School, and former Director of the Harvard University Program in Ethics and Health (PEH). He has held the Tillinghast Professorship at Brown University and served as a member of the Department of Clinical Bioethics at the National Institutes of Health. Brock earned his B.A. in economics from Cornell University and his Ph.D. in philosophy from Columbia University. “The Role of Philosophers in Policy-Making.” Life and Death: Philosophical Essays in Biomedical Ethics. Cambridge University Press, Jan 29, 19**93**. P. 409-410.

The central point of conflict is that the first concern of those responsible for public policy is, and ought to be, the consequences of their actions for public policy and the persons that those policies affect. This is not to say that they should not be concerned with the moral evaluation of those consequences-they should; nor that they must be moral consequentialists in the evaluation of the policy, and in turn human, consequences of their actions-whether some form of consequentialism is an adequate moral theory is another matter. But it is to say that persons who directly participate in the formation of public policy would be irresponsible if they did not focus their concern on how their actions will affect policy and how that policy will in turn affect people. The virtues of academic research and scholarship that consist in an unconstrained search for truth, whatever the consequences, reflect not only the different goals of scholarly work but also the fact that the effects of the scholarly endeavor on the public are less direct, and are mediated more by other institutions and events, than are those of the public policy process. It is in part the very impotence in terms of major, direct effects on people's lives of most academic scholarship that makes it morally acceptable not to worry much about the social consequences of that scholarship. When philosophers move into the policy domain, they must shift their primary commitment from knowledge and truth to the policy consequences of what they do. And if they are not prepared to do this, why did they enter the policy domain? What are they doing there?

### Case proper

#### They only talk about an IP waivers – but those already exist in the squo – one was given for HIV and COVID but that hasn’t resolve access issues as countries such as Kenya and even India face different pandemics - means you vote neg on presumption – note their plantext A trips waiver – means this doesn’t cover all inequality either

#### They keep other forms of IP in place for medicines – copyright, trademark, designs, and patents are all forms of IP – none of their ev is contextualized to why trips is key to resolving any of this – if it was, there would be no aff

#### They challenge cap but have no extrapolation of how spillover happens after changing IP law to crete revolutionary action to stop capitalism as a whole – at best, this stalls structural inequality for a second but leaves intact the overall structural that is built into capitalism that will pervade post aff – thus prefer the k

#### **IP protection key to roll out vaccines and medicines**

Ezell 2021 (“Tens Reasons Why a Covid-19 TRIPS IP Waiver is Unwarranted” by Stephan Ezell (vice president, global innovation policy, at the Information Technology and Innovation Foundation (ITIF). He focuses on science and technology policy, international competitiveness, trade, manufacturing, and services issues. B.S. from the School of Foreign Service at Georgetown University, with an honors certificate from Georgetown’s Landegger International Business Diplomacy program.) April 9 2021 https://itif.org/publications/2021/04/09/ten-reasons-why-covid-19-trips-ip-waiver-unwarranted)

The only way IP has ever been a barrier in the COVID-19 crisis was that the global community initially did not have the knowledge and IP required to create the vaccines and therapeutics needed to combat the novel coronavirus. Scientists had to innovate to create it. And that is what the global biomedical community did: As of April 8, 2021, 859 unique active compounds were under development, including 397 treatments, 247 antivirals, and 215 vaccines. About half of these projects have originated from the United States, a testament to the world-leading life-sciences innovation ecosystem the United States has created over the past quarter-century, which is enabled by IP rights that give innovators large and small alike (about three-quarters of U.S. COVID-19 treatments under development come from small- to medium-sized companies) the incentive to undertake the risky, complex, time-consuming, and expensive process of creating new-to-the-world drugs.

It is no coincidence that countries like the United States and Germany, which recognize that robust IP rights are an essential enabler of life-sciences innovation, have tremendous bench strength. That is why Gilead Sciences could provide an effective COVID-19 therapeutic, Remdesivir, which received Emergency Use Approval (EUA) from U.S. Food and Drug Administration (FDA) a mere 123 days after the virus was first detected in a patient sample; Eli Lilly’s antibody treatment, bamlanivimab, could receive its EUA within 315 days; and the Pfizer-BioNTech vaccine arrived 347 days after the virus was first detected. To put the speed of this process in context, a GlaxoSmithKline representative noted in 2017 that, “It can take up to $1 billion and 20-50 years to create and fully distribute a vaccine at scale.” Indeed, before the pandemic, it took an average of 14 years to develop a new-to-the-world vaccine. Thus, as is so often the case, from innovative cancer biologics to innovative COVD-19 therapeutics, IP is a key enabler, not a barrier, to access to these medicines.

#### IP exemptions don’t stifle access when covid proves countries will apply it when there are no medicines for a problem.

Ezell 2021 (“Tens Reasons Why a Covid-19 TRIPS IP Waiver is Unwarranted” by Stephan Ezell (vice president, global innovation policy, at the Information Technology and Innovation Foundation (ITIF). He focuses on science and technology policy, international competitiveness, trade, manufacturing, and services issues. B.S. from the School of Foreign Service at Georgetown University, with an honors certificate from Georgetown’s Landegger International Business Diplomacy program.) April 9 2021 https://itif.org/publications/2021/04/09/ten-reasons-why-covid-19-trips-ip-waiver-unwarranted)

2. How Could IP Be A Barrier When COVID-19 Therapeutics Scarcely Existed?

India and South Africa submitted their petition to the TRIPS Council in October 2020. As the petition itself acknowledged, “To date, there is no vaccine or medicine to effectively prevent or treat COVID-19.” Why then, was there need to waive IP rights for technologies and innovations? It shows that IP rights were not and never have been a barrier to the world getting access to needed COVID-19 vaccines and therapeutics.

#### Ip isn’t the problem. Scaling up manufacturing requires complicated technology, expertise, etc that IP has no role in.

Ezell 2021 (“Tens Reasons Why a Covid-19 TRIPS IP Waiver is Unwarranted” by Stephan Ezell (vice president, global innovation policy, at the Information Technology and Innovation Foundation (ITIF). He focuses on science and technology policy, international competitiveness, trade, manufacturing, and services issues. B.S. from the School of Foreign Service at Georgetown University, with an honors certificate from Georgetown’s Landegger International Business Diplomacy program.) April 9 2021 https://itif.org/publications/2021/04/09/ten-reasons-why-covid-19-trips-ip-waiver-unwarranted)

4. Scaling Manufacturing of the Needed Medicines Is the Central Challenge—and Strong Progress Is Being Made

As noted, at the start of the pandemic, the central challenge was innovating to create the needed and effective vaccines and therapeutics to combat the novel coronavirus. We have them now. Thus, just like with the 3M N-95 respirator example, the problem isn’t IP rights; it’s the challenge of dramatically scaling up manufacturing capacity. For instance, it takes 60 to 110 days to produce one batch of COVID-19 vaccine. Manufacturing these incredibly complex, new-to-the-world biologic products represents an extremely complicated process, as evidenced by the recent case where a Baltimore, Maryland manufacturing plant run by Emergent BioSolutions conflated key ingredients, leading to the contamination of up to 15 million doses of Johnson & Johnson’s vaccine.

Similarly, the mRNA-based vaccines developed by Moderna and Pfizer require specialized experience, expertise, and equipment to manufacture. For example, mRNA vaccines require a complicated technique known as “bioprocess” that requires specialty bioreactors to first manufacture DNA that codes for the desired mRNA sequence, and then uses a second bioprocess to create billions of identical mRNA segments. These are then wrapped in a nanolipid wrapper using yet another very specialized fluidics and mixing process, and for which there are only three facilities in the world that can execute the step of creating the liquid capsule around the RNA.

All this explains why Adam Poonawalla, CEO of the Serum Institute, the world’s largest generics facility, when asked if vaccine rollout was slowed because vaccine patent holders were licensing too few manufacturers to make them, responded, “No. There are enough manufacturers, it just takes time to scale up. And by the way, I have been blown away by the cooperation between the public and private sectors in the last year, in developing these vaccines.” Poonawalla cited the lack of global regulatory harmonization as a far greater cause of delays in the vaccine rollout. Even Médecins Sans Frontières’ Roz Scourse acknowledged in a recent BBC interview that suspending patent rights “wouldn’t produce millions of more vaccines.”

And substantial progress is being made. COVID-19 vaccines have come from all quarters, including China, Russia, and India. In fact, India has two companies producing and exporting vaccines which they developed domestically. For these reasons, Duke’s Global Health Innovation Center estimates that global production of COVID-19 vaccines will reach more than 12 billion doses in 2021. Duke further notes that assuming most of these are two-dose vaccines (J&J and CanSino’s are the only one-dose vaccines currently available), about 11 billion doses will be needed to vaccinate 70 percent of the world’s population, frequently seen as the threshold to approach herd immunity.