### 1

#### Interp: Debaters must disclose round reports on the 2021-2022 NDCA LD wiki for every round they have debated this season. Round reports disclose which positions (AC, NC, K, T, Theory, etc.) were read/gone for in every speech.

#### B. Violation:

#### Standards:

#### 1] Level Playing Field

#### 2] Strategy Education –

#### D. Voter: Fairness first and it’s a voter

#### Education is a voter

#### Use competing interps

#### RVI’s cause a chilling effect that discourages legit theory, you had a burden to be fair and educational in the first place

## 2

I conceed TT is true

#### Now Negate –

#### 1] member[[1]](#footnote-1) is “a part or organ of the body, especially a limb” but an organ can’t have obligations

#### 2] of[[2]](#footnote-2) is to “expressing an age” but the rez doesn’t delineate a length of time

#### 3] the[[3]](#footnote-3) is “denoting a disease or affliction” but the WTO isn’t a disease

#### 4] to[[4]](#footnote-4) is to “expressing motion in the direction of (a particular location)” but the rez doesn’t have a location

#### 5] reduce[[5]](#footnote-5) is to “(of a person) lose weight, typically by dieting” but IP doesn’t have a body to lose weight.

#### 6] for[[6]](#footnote-6) is “in place of” but medicines aren’t replacing IP.

#### 7] medicine[[7]](#footnote-7) is “(especially among some North American Indian peoples) a spell, charm, or fetish believed to have healing, protective, or other power” but you can’t have IP for a spell.

#### Apriori Conditions are inescapable -

## 3- NC

**Permissibility Negates –**

**[1] Semantics – Ought is defined as expressing obligation[[8]](#footnote-8) which means absent a proactive obligation you vote neg since there’s a trichotomy between prohibition, obligation, and permissibility and proving one disproves the other two. Semantics o/w – a) it’s key to predictability since we prep based on the wording of the res and b) it’s constitutive to the rules of debate since the judge is obligated to vote on the resolutional text.**

**[2] Safety – It’s ethically safer to presume the squo since we know what the squo is but we can’t know whether the aff will be good or not if ethics are incoherent.**

#### Under Locke, any action would be permissible.

Your aff triggers permiss:

#### [1] We can never know the intention of another agent.

Human, All Too Human. Friedrich Wilhelm Nietzsche Translated by R. J Hollingdale. Cambridge: Cambridge University Press, 1996.

**Our experience of another person**, for example, no matter how close he stand to us, **can never be complete, so that we would have a logical right to** a total **evaluation of him; all evaluations are premature and are bound to be.** Finally, **the standard by which we measure, our own being, is** not an unalterable magnitude, we are **subject to moods and fluctuations, and yet we would have to know ourselves as** a **fixed** standard **to** be able justly to **assess the relation between ourself and anything else** whatever.

#### [2] Even our best guesses at intention are flawed; this makes any evaluation impossible.

Taylor. “Thine eyes hath not seen the virtue: A response to Kant’s theory of a priori morality.” 2010. <http://charactervertigo.com/thine-eyes-hath-not-seen-the-virtue-a-response-to-kants-theory-of-a-priori-morality>.

On **[With] the intentionalist model**, it becomes extremely difficult to judge our fellow human beings. In fact, **it becomes impossible to make** certain **judgments about** their **moral rectitude because we cannot have access to** their **private states of willing. We look at** someone like **Hitler and say “Obviously evil”, but the intentionalist can raise all sorts of things like:** “Well, yes,it looks bad, but **it’s possible he was so insane that he** truly **thought that his actions were for the betterment of mankind**…maybe he thought the Jews would be better off…maybe he etc., etc**.**” – you know, **[the intentionalist can] make up categorical-imperatively-sound reasons for his actions, as far-fetched as they may be.** Or, he was an angry, power-hungry bastard. Pick which seems more likely, but **we can never know for certain, if we’re Kantians.**

#### [3] We can’t ascribe value to actions under intent framing as we can’t know to what extend each action was free.

Immanuel Kant, *The Critique of Pure Reason*. Translated by J.M.D. Meiklejohn. 1781. Under heading “Exposition of the Cosmological Idea of Freedom in Harmony with the Universal Law of Natural Necessity.” available online: http://www.gutenberg.org/dirs/etext03/cprrn10.txt

The real morality of **actions[’]**--their **merit or demerit**, and even that of our own conduct, **is completely unknown to us. Our estimates can relate only to** their **empirical character. How much is the result of the action of free will, how much is to be ascribed to nature and** to **blameless error**, or to a happy constitution of temperament (merito fortunae), **no one can discover, nor, for this reason, determine with perfect justice.**

#### Skepticism is true and it negates –

**1. Moral Skep: Justice requires us to act immediately since waiting in the face of injustice is itself an injustice. However, we need to be fully informed to avoid formulating a rule incorrectly and unjustly, so obligations are internally contradictory. Jacques Derrida 92 - Derrida, Deconstruction and the Possibility of Justice, October 10, 1992** “The Force of Law: The Mystical Foundation of Authority” Accessed 3/11/19

But **justice,** however unpresentable it may be, doesn't wait.· It is that which **must not wait.** To be direct, simple and brief, let us say this: **a just decision is always required immediately, "right away." It cannot furnish itself with** infinite information and the **unlimited knowledge of conditions,** rules or hypothetical imperatives **that could justify it.** And **even if it did** have all that at its disposal, even if it did give itself the time, all the time and all the necessary facts about the matter, **the moment of decision,** as such, **always remains a finite moment of urgency** and precipitation, since it must not be the consequence or the effectof this theoretical or historical knowledge, of this reflection or this deliberation, **since it always marks the interruption of the** juridico- or ethico- or politico-**cognitive deliberation that precedes it,** that must precede it. The instant of decision is a madness, says Kierkegaard. This is particularly true of the instant of the just decision that must rend time and defy dialectics. It is a madness. **Even if time** and prudence,the patience of knowledge and the mastery of conditions **were** hypothetically **unlimited, the decision would be structurally finite,** however late it came, decision of urgency and precipitation, **acting in** the night of **non-knowledge and non-rule.**

**2. Culpability – Ethics must hold agents culpable as otherwise we cannot be responsible for moral wrongdoings since they occur externally to our wills and will happen regardless of whether we advise against them. However, willing fails and agents lack control.**

Coyne 12 **Jerry Coyne, [Professor in the Department of Ecology and Evolution at The** [**University of Chicago**](http://content.usatoday.com/topics/topic/Organizations/Schools/University+of+Chicago)**], “Why You Don’t Really Have Free Will,” *USAToday*, January 1st, 2012** [**https://www.ethicalpsychology.com/2013/12/why-you-dont-really-have-free-will.html?m=1**](https://www.ethicalpsychology.com/2013/12/why-you-dont-really-have-free-will.html?m=1)

The first is simple: **we are biological** creatures, **collections of molecules that must obey the laws of physics**. **All the success of science rests on the regularity of those laws, which determine the behavior of every molecule in the universe.** Those molecules, of course, also make up your brain — the organ that does the "choosing." And **the neurons and molecules in your brain are the product of both your genes and your environment,** an environment including the other people we deal with. Memories, for example, are nothing more than structural and chemical changes in your brain cells. **Everything that you** think, say, or **do, must come down to molecules and physics.** True "**free will**," then, **would require us to somehow step outside of our brain's structure and modify how it works**. Science hasn't shown any way we can do this because "**we" are simply constructs of our brain.** We can't impose a nebulous "will" on the inputs to our brain that can affect its output of decisions and actions, any more than a programmed computer can somehow reach inside itself and change its program.

. Note that such epistemological moral skepticism is different from (4a), the skeptical conclusion that Street regards as implausible or far-fetched.

**3. Paradoxes – a. Good Samaritan – in order to say I want to fic x problem, you must say that you want x problem to exist, since it requires the problem exist to solve, which makes an moral attempt inherently immoral b. Induction – either it’s the case we can predict the outcome of a situation, or we cannot. We cannot, insofar as no situation is ever replicated exactly, and even if it can, there’s no guarantee the outcome will be the same. If we can predict situations, that means everyone can, which means we will always predict each other, making a paradox of action insofar as we always attempt to predict the outcomes of each other’s actions, and will cancel out the obligations.**

## 4

#### CP Text: Non-Profits should buy out medical patents. This uses incentives instead of coercion to solve the aff.

Silver 17 - Jonathan Silver, Health Affairs Blog, APRIL 5, 2017 “A Strategy For Lowering Brand Drug Prices: Patent Buyouts And Licensing” [https://www.healthaffairs.org/do/10.1377/hblog20170405.059438/full/] Accessed 9/18/21 SAO

Suppose a non-profit entity or entities were formed with the announced intention of buying IP rights to any one of a group of close substitute, brand drugs. Each monopolist would face pressure to sell its IP rights at a reasonable mark-up over the value of its IP given generic competition, since if it did not sell its IP but one of its competitors did, it would suffer a bigger loss. The effect of such a non-profit company would be to enhance competition by converting brand-brand competition to brand-generic competition. This would promote the economic interests of consumers, generic manufacturers, and insurers, who pay the bulk of the cost of prescription drugs. Thus, generic manufacturers and insurers would be reasonable candidates to fund such an endeavor. The Nature Of The New Entities: Nonprofit And Tax Exempt A for-profit company would have no incentive to license IP rights to multiple manufacturers since it could make more money by selling a monopoly drug. The project therefore requires a non-profit. Could such a non-profit qualify for tax-exempt status? Under IRS code 501(c)(6), an organization that promotes economic interests of a defined group, such as a trade association for insurers or generic manufacturers, qualifies as tax exempt so long as it doesn’t perform specific services for particular members. Thus, it might be important for the non-profit to be structured in a way that avoided promoting narrow business interests of particular funders. Previous work has described potential advantages of government buying patents and licensing them broadly, but this entails much greater government intervention and interference with private enterprise than the idea proposed here: focused, non-profit, non-governmental, patent buyouts. The same strategy, however, could be used by governments in countries where government plays a more active role in pharmaceutical markets.

## On Case

#### [1] REJECT LOCKE

Uzgalis 17’ - William Uzgalis, The Oxford Handbook of Philosophy and Race, “John Locke, Racism, Slavery, and Indian Lands” Print Publication Date: Feb 2017 Subject: Philosophy, Social and Political Philosophy Online Publication Date: Jan 2017 DOI: 10.1093/oxfordhb/9780190236953.013.41 [https://aaron-zimmerman.com/wp-content/uploads/2021/01/Locke-Racism-Slavery-Indian-Lands-Uzgalis.pdf] AHS//MAK

Locke’s extraordinary involvement with the slave trade, slavery, and Indian Lands, as an owner of stocks in slave trading companies, as the valued secretary, and Indian Lands, as an owner of stocks in slave trading companies, as the valued Secretary of the Lords proprietors of the Carolinas (who clearly had no problem with slavery), and as a government of fiscal and a colonial administrator, surely tarnishes his reputation as a great defender of liberty deed, given that he knew so much and was so deeply involved in these things, there is some reason to call him a racist. (For the claim that Locke was a racist, see Bernasconi John Locke, Racism, Slavery, and Indian Lands Page 11 of 12 PRINTED FROM OXFORD HANDBOOKS ONLINE (www.oxfordhandbooks.com). © Oxford University Press, 2018. All Rights Reserved. Under the terms of the licence agreement, an individual user may print out a PDF of a single chapter of a title in Oxford Handbooks Online for personal use (for details see Privacy Policy and Legal Notice). Subscriber: UC Santa Barbara Library; date: 17 January 2021 time, namely religious narrowness, a strong desire for monetary gain, nationalism, and of Zack 1996, 179). Some of these motivations are ones that Locke plainly did not have. Others he may well have. The facts ars to conclude that in thinking about America, Locke must have intended to justify the land. Those who seek to find in his works a justification for those horrific colonial crimes are seeking to make him a consistent racist or Eurocentrist. But given the nature of the Second Treatise of Government a work of liberation and not a defense of colonial criminality. Those who want to speculate that Locke went beyond what he had written to somehow see it as a speculation. Locke was not involved in any contradiction between theory and practice in spect to slavery where **there is a clear contradiction between the Lockean defense of rights and liberties and his involvement with slave trading and slavery.** The contradiction is there and Locke was certainly not alone in being caught in that contradiction.

#### They read morally repugnant arguments. The judge has a proximal obligation to ensure inaccessible practices don’t proliferate. Accessibility is a voting issue since all aff arguments presuppose that people feel safe in this space to respond to them.

1. https://www.google.com/search?q=member+definition&rlz=1C1CHBF\_enUS877US877&oq=member+definition&aqs=chrome.0.69i59j69i60l3.1863j0j7&sourceid=chrome&ie=UTF-8 [↑](#footnote-ref-1)
2. https://www.google.com/search?q=of+definition&rlz=1C1CHBF\_enUS877US877&oq=of+definition&aqs=chrome.0.69i59j69i61l3.1473j0j7&sourceid=chrome&ie=UTF-8 [↑](#footnote-ref-2)
3. https://www.google.com/search?q=the+definition&rlz=1C1CHBF\_enUS877US877&oq=the+definition&aqs=chrome..69i57j69i64j69i61j69i60l2.1976j0j7&sourceid=chrome&ie=UTF-8 [↑](#footnote-ref-3)
4. https://www.google.com/search?q=to+definition&rlz=1C1CHBF\_enUS877US877&oq=to+definition&aqs=chrome..69i57j69i60l3.1415j0j7&sourceid=chrome&ie=UTF-8 [↑](#footnote-ref-4)
5. https://www.google.com/search?q=reduce+definition&rlz=1C1CHBF\_enUS877US877&sxsrf=AOaemvI3lZsbmnXg5WHeL4m6rYGn8Vf6Aw%3A1630610232638&ei=OCMxYbCaJpO0tQb6wpGoCA&oq=reduce+definition&gs\_lcp=Cgdnd3Mtd2l6EAMyCQgjECcQRhD5ATIECAAQQzIECAAQQzIFCAAQgAQyBQgAEIAEMgUIABCABDIFCAAQgAQyBQgAEIAEMgUIABCABDIFCAAQgAQ6BwgAEEcQsAM6BwgAELADEEM6BwgjEOoCECc6BAgjECc6BQgAEJECOhEILhCABBCxAxCDARDHARDRAzoKCAAQsQMQgwEQQzoHCAAQsQMQQzoICAAQgAQQsQM6CAgAELEDEIMBOgoIABCABBCHAhAUSgQIQRgAUMLMBFjS3QRgnt8EaAJwAngDgAG2A4gB-heSAQozLjExLjEuMi4xmAEAoAEBsAEKyAEKwAEB&sclient=gws-wiz&ved=0ahUKEwiwlru9gOHyAhUTWs0KHXphBIUQ4dUDCA8&uact=5 [↑](#footnote-ref-5)
6. https://www.merriam-webster.com/dictionary/for#:~:text=English%20Language%20Learners%20Definition%20of,meant%20to%20be%20used%20with [↑](#footnote-ref-6)
7. https://www.google.com/search?q=medicine+definition&rlz=1C1CHBF\_enUS877US877&oq=medicine+definition&aqs=chrome.0.69i59.2986j0j7&sourceid=chrome&ie=UTF-8 [↑](#footnote-ref-7)
8. <https://www.merriam-webster.com/dictionary/ought> [↑](#footnote-ref-8)