# 1NC

### 1

#### Interpretation: “member nations” is a generic bare plural. The aff may not defend that a member nation or specific member nations of the World Trade Organization ought to reduce intellectual property protections for medicines.

Nebel 19. [Jake Nebel is an assistant professor of philosophy at the University of Southern California and executive director of Victory Briefs. He writes a lot of this stuff lol – duh.] “Genericity on the Standardized Tests Resolution.” Vbriefly. August 12, 2019. <https://www.vbriefly.com/2019/08/12/genericity-on-the-standardized-tests-resolution/?fbclid=IwAR0hUkKdDzHWrNeqEVI7m59pwsnmqLl490n4uRLQTe7bWmWDO_avWCNzi14> TG

Both distinctions are important. Generic resolutions can’t be affirmed by specifying particular instances. But, since generics tolerate exceptions, plan-inclusive counterplans (PICs) do not negate generic resolutions.

Bare plurals are typically used to express generic generalizations. But there are two important things to keep in mind. First, generic generalizations are also often expressed via other means (e.g., definite singulars, indefinite singulars, and bare singulars). Second, and more importantly for present purposes, bare plurals can also be used to express existential generalizations. For example, “Birds are singing outside my window” is true just in case there are some birds singing outside my window; it doesn’t require birds in general to be singing outside my window.

So, what about “colleges and universities,” “standardized tests,” and “undergraduate admissions decisions”? Are they generic or existential bare plurals? On other topics I have taken great pains to point out that their bare plurals are generic—because, well, they are. On this topic, though, I think the answer is a bit more nuanced. Let’s see why.

“Colleges and universities” is a generic bare plural. I don’t think this claim should require any argument, when you think about it, but here are a few reasons.

First, ask yourself, honestly, whether the following speech sounds good to you: “Eight colleges and universities—namely, those in the Ivy League—ought not consider standardized tests in undergraduate admissions decisions. Maybe other colleges and universities ought to consider them, but not the Ivies. Therefore, in the United States, colleges and universities ought not consider standardized tests in undergraduate admissions decisions.” That is obviously not a valid argument: the conclusion does not follow. Anyone who sincerely believes that it is valid argument is, to be charitable, deeply confused. But the inference above would be good if “colleges and universities” in the resolution were existential. By way of contrast: “Eight birds are singing outside my window. Maybe lots of birds aren’t singing outside my window, but eight birds are. Therefore, birds are singing outside my window.” Since the bare plural “birds” in the conclusion gets an existential reading, the conclusion follows from the premise that eight birds are singing outside my window: “eight” entails “some.” If the resolution were existential with respect to “colleges and universities,” then the Ivy League argument above would be a valid inference. Since it’s not a valid inference, “colleges and universities” must be a generic bare plural.

Second, “colleges and universities” fails the [upward-entailment test](https://plato.stanford.edu/entries/generics/#IsolGeneInte) for existential uses of bare plurals. Consider the sentence, “Lima beans are on my plate.” This sentence expresses an existential statement that is true just in case there are some lima beans on my plate. One test of this is that it entails the more general sentence, “Beans are on my plate.” Now consider the sentence, “Colleges and universities ought not consider the SAT.” (To isolate “colleges and universities,” I’ve eliminated the other bare plurals in the resolution; it cannot plausibly be generic in the isolated case but existential in the resolution.) This sentence does not entail the more general statement that educational institutions ought not consider the SAT. This shows that “colleges and universities” is generic, because it fails the upward-entailment test for existential bare plurals.

Third, “colleges and universities” fails the adverb of quantification test for existential bare plurals. Consider the sentence, “Dogs are barking outside my window.” This sentence expresses an existential statement that is true just in case there are some dogs barking outside my window. One test of this appeals to the drastic change of meaning caused by inserting any adverb of quantification (e.g., always, sometimes, generally, often, seldom, never, ever). You cannot add any such adverb into the sentence without drastically changing its meaning. To apply this test to the resolution, let’s again isolate the bare plural subject: “Colleges and universities ought not consider the SAT.” Adding generally (“Colleges and universitiesz generally ought not consider the SAT”) or ever (“Colleges and universities ought not ever consider the SAT”) result in comparatively minor changes of meaning. (Note that this test doesn’t require there to be no change of meaning and doesn’t have to work for every adverb of quantification.) This strongly suggests what we already know: that “colleges and universities” is generic rather than existential in the resolution.

#### It applies to “member nations” – 1] upward entailment test – “member nations of the World Trade Organization ought to reduce intellectual property protections for medicines” doesn’t entail that member nations of the EU ought to reduce IPP for medicines because it doesn’t prove that the EU should reduce IP. 2] adverb test – adding “all” to the res doesn’t substantially change its meaning because the WTO is a collective.

#### Violation: They spec member nations of the EU.

#### Standards:

#### [1] Semantics – the counter-interp justifies them arbitrarily doing away with random words in the resolution which decks negative ground and preparation because the aff is no longer bounded by the resolution. Independent voter for jurisdiction – the judge doesn’t have the jurisdiction to vote aff if there wasn’t a legitimate aff.

#### [2] Limits and ground – Their model allows affs to defend anything from a specific member nation or groups of them which means there’s no universal disad since each group has a different function and different political capabilities. – That explodes neg prep and leads to worse ground. They eliminate core topic disads like the China heg disad and Chinese relations disad as well as other politics and infrastructure disads. That forces the neg with generics that are easily prepped out meaning my ground is smaller and quantitatively worse.

#### [3] TVA solves – you could’ve read your plan as an advantage under a whole res advocacy.

#### Voter – fairness – debate is a competitive activity that requires an equal playing field; else you can’t evaluate the better debater.

#### Competing interps –

#### A] Reasonability creates a race to the bottom that where debaters use marginal brightlines to get away with huge abuse

#### B] reasonability collapses since we use offense-defense to compare brightlines.

#### Drop the debater –

#### A] it’s incoherent with T since you’d drop the advocacy which is functionally the same

#### B] deters abuse – empirically proven with a prioris.

#### No RVI’s –

#### A] The 1AR would just sit on T with frontlines so I’ll always lose to the unchecked 2AR collapse.

#### B] The aff has the burden of being topical so I have an unconditional right to read T.

#### C] Enables a 2AR on theory which disincentivizes the 2NR from going for substance

#### D] Illogical – you don’t win for being fair.

### 2

#### Presumption and permissibility negate—

#### [1] They have to prove the existence of an obligation to reduce IP protections – permissibility denies that.

#### [2] There’s an infinite number of other, mutually exclusive actions and one of them is probably better than the aff.

#### [3] Statements are more likely false than true since there’s infinite ways to deny a statement but only one way to prove it.

#### The meta-ethic is practical reason:

#### A – Action theory – any action can be infinitely subdivided into smaller actions. For example, my walk to the door can be split into steps, movements, or moments in time. Only practical reason, i.e. my intention to walk to the door, can unify these pieces into a single, coherent action.

#### B – Bindingness – external accounts of the good cannot motivate action since we can always ask *why* we should care about that thing. Only practical reason solves regress since ‘why should I follow reason’ is asking for a reason, conceding its authority – proves my framework is inescapable and that others collapse.

#### Next, actions must be willed freely from the choices of others. Otherwise, that would violate practical reason since you cannot will your unfreedom while also relying on your freedom to act to begin with. But, agents can’t wholly control what others do so they must form a state with the power to will the freedom of all.

#### Thus, the standard is protecting equal outer freedom. Impact calc—only intents matter—

#### A] Induction fails – it begs the question because it uses the past to predict the future but we only assume this is true because it’s worked in the past which is circular.

#### B] Aggregation’s impossible – freedom is a property of action and not a countable object. Saying that two free actions are “more free” than one actions is like saying two circles are more “circular” than one.

#### C] Consequences of every act span across infinite time and space so no consequence can be causally traced to a single agent.

#### Prefer additionally –

#### [1] Performativity – Debate is an exchange of ideas, which requires that we respect each other as free, independent persons who seek ethical truth. Every response you make presupposes it. This respect extends to other people, since they are also agents who engage in dialogue.

#### [2] Epistemology – Ethics must be a-priori –

#### A] Is/ought gap – empirical facts only describe how the world is, not why it ought to be that way. For example, just because I do pursue pleasure doesn’t mean I ought to pursue pleasure.

#### B] Perception – The material world is not the way it is because it is that way but rather that we perceive it to be that way. That necessitates a-priori reason since it is universally applied to include everyone. Anything else justifies committing atrocities that are perceived to produce a net positive by one person.

#### [4] TJFs –

#### A] Critical thinking – Our framework forces you to make analytic arguments about the nature of IP – details like the geopolitical effects don’t matter because none of us will ever be in a position to pass policies – but, we all make decisions in everyday life.

#### B] Small schools – Util debates reward debaters with more resources like coaches and backfiles – structural abuse outweighs – it rewards debaters because of factors outside of their control.

#### Negate –

#### 1 – Absence of IPP allows free-riding where individuals use others’ work. Free-riding violates equal freedom.

Ripstein '9 (Arthur Ripstein; Arthur Ripstein is Professor of Law and Philosophy and University Professor. He was appointed to the Department of Philosophy in 1987, promoted to Full Professor in 1996, appointed to the Faculty of Law in 1999, and appointed to the rank of University Professor in 2016. He received a doctorate in philosophy from the University of Pittsburgh, a master’s degree in law from Yale, and an undergraduate degree from the University of Manitoba. He was Chair of the Philosophy Department 2011-14 and Acting Chair 2019-20; 10-15-2009; *Force and Freedom*, accessed 8-20-2020; JPark Bracketed for Gendered Language)

So mandatory cooperation cannot treat terms of interaction as reciprocal because they are voluntary. Instead, there is a more direct requirement of reciprocity: everyone must do [their] ~~his or her~~ own part; the person who fails to do so violates reciprocity by taking advantage of the cooperative efforts of others, like the one who fails to keep up his end of a contract. From this perspective, the “free rider” wrongs his fellow citizens by taking advantage of their efforts. The free rider may claim—and it may even be true— that [they] ~~he~~ would rather do without the rightful condition and go it alone. That claim is beside the point, because the obligation to enter a rightful condition is unconditional, that is, it does not depend upon any particular person’s subjective assessment of the benefits it will yield. Others are entitled to treat the creating and sustaining of a rightful condition as one of the free rider’s purposes, quite apart from what he may have to say about it. Thus they can rightly complain that they are being required to work for the purposes of another, or that they are being used by the free rider, and they can make this claim even if the free rider’s failure to con- tribute costs them nothing. The mandatory character of such cooperation generates a presumption in favor of an equal division of its burdens. Kant suggests that legislation that “goes against the law of equality in assigning the burdens of the state in matters of taxation, recruiting and so forth”30 is defective. Citizens are entitled to petition against such laws, because equal division is the basic case of mandatory cooperation. If everyone must do his or her part in jointly providing public spaces, those parts will be equal unless there are positive grounds for differentiation.

#### 2 – The government is obligated to protect IP. The inventor has a right to own their creation. The same applies to intellectual property. A world where everyone can use the inventions of another without consent is stealing which violates the categorical imperative since people who steal do not wish to be stolen from.

### 3

#### Interpretation: If the affirmative defends a consequentialist framework, they must explicitly delineate which theory of the good they defend in the form of a text in the 1ac.

#### Violation: They didn’t. Maximizing expected wellbeing doesn’t count because there are different types of util. Eg hedonism, act v rule util, eudaimonia.

#### 1. Shiftiness – They can shift out of my turns based on whatever theory of the good they operate under due to the nature of a vague standard. Especially true because the warrants for their standard could justify different versions of consequentialism as coming first and I wouldn’t know until the 1ar which gives them access to multiple contingent standards.

#### 2. Strat – I lose 6 minutes of time during the AC to generate a strategy because I don't know what turns or strategy I can go for during the 1N absent which proves CX doesn’t check since it would occur after the skew.

#### 3. Resolvability – Makes the round irresolvable since we can’t weigh different mechanisms for the good – weighing ground is key since it ensures we can compare arguments that clash to access the ballot.

#### 4 – CX doesn’t check –

#### A] Guts pre-round prep which is best for research

#### B] It’s not binding and judges don’t pay attention