### Setcol

#### Western philosophy is colonialist -- its presuppositions of objectivity and rationality which devalues indigenous knowledge while justifying imperialism.

**Gutierrez et. al 19** [Daniel Orr de Gutierrez - Tsi Tsalagi, Born and raised in Oklahoma (Ponca City and Norman), B.A. in Native Education from Swarthmore College, M.A. in Teaching from the University of San Francisco, Edwin Mayorga - an Assistant Professor in the Department of Educational Studies and the Program in Latin American and Latino Studies at Swarthmore College, Lekey Leidecker - A youth educator in New York City, activist, and writer, Daniel Orr de Gutierrez, “Burn it Down: The Incommensurability of the University and Decolonization” , Iowa state university digital press & School of education, Journal of Critical Thought and Praxis, 2019, Vol. 8, No. 1, 87-106]

Birthed through and for the colonial state, modern philosophy does not coincidentally bear colonialist ideology, although we would not attempt a full accounting of that here. Rather, because knowledge production and regulation are the defining functions of the university, we analyze the epistemology of modern philosophy. In doing so, we find that modern epistemology not only justifies and authorizes colonial violence, but, in itself, demands epistemic violence. Operating upon these principles, the essential function of the modern university has become a colonization of knowledge: knowledge is processed to conform to colonial ideology and agendas, and, in turn, disseminated in order to assimilate the populace. To conceal the inherent violence of that mission today, the university employs a strategic negligence that reaffirms its own indispensability. Two epistemological assumptions narrate modern philosophy: (1) there are certain aspects of reality which are ubiquitously and invariably true, (2) observation and logical reasoning are the only means of accessing that absolute truth. From these two basic assumptions however, issue a number of derivative beliefs linking knowledge production to power. The first of these corollaries is the privileging of objectivity, assessing knowledge against the perceived contamination of subjective experience, by which modern scholars limit the scope of legitimate knowledges to those consistent with their own principles and tradition. In so doing, Western thinkers not only affirm the superiority of their knowledge systems but also claim for themselves the exclusive authority to define knowledge (Smith, 2012). Moreover, the assumption that absolute truth is ascertainable practically and ethically implies a responsibility to do so, creating an obligation for humanity to thoroughly investigate their reality. Given the exclusive authority of modern Western scholars to lead that investigation, instrumental reasoning insinuates, and hubris abets, that all reality need come under Western dominion. On the one hand, this epistemology leaves no room for enchantment, sacrificing the private and sacred for the pursuit of knowledge3 (Grande, 2015). On the other hand, it justifies imperialist ideation and, in fact, makes scientific investigation dependent upon the subjugation of non-Western peoples and lands. In order to understand reality, modern philosophy thus engenders material and symbolic violences against reality. But, more immediately, modern scientific investigation and knowledge production, in themselves, constitute epistemic violence. Modern philosophy is confronted by the same conflict as is any intellectual paradigm: incorporating and rectifying new knowledges with the old. In its pursuit of absolute truth, however, modern philosophy cannot engage in dialogic relations, but is confined to the dialectic, and, operating upon the presumed objective superiority of its own knowledge traditions, must contort new knowledge so that it takes on a form comprehensible within its own ideological framework.

#### Philosophy So White – phil debate lacks objective means of resolution which uniquely exacerbates gendered and racial biases – empirics prove.

**Cherry and Schwitzgebel 16** [Myisha Cherry is a doctoral student in philosophy at the University of Illinois at Chicago and host of the UnMute podcast. Eric Schwitzgebel is a professor of philosophy at UC Riverside and author of "Perplexities of Consciousness." “Like the Oscars, #PhilosophySoWhite” LA Times, March 4, 2016 https://www.latimes.com/opinion/op-ed/la-oe-0306-schwitzgebel-cherry-philosophy-so-white-20160306-story.html]

Academic philosophy in the United States has a diversity problem. No other discipline of comparable size in the humanities is as gender-skewed as philosophy. Women still receive only about 28% of philosophy PhDs in the United States, and are still only about 20% of full professors of philosophy — numbers that have hardly budged since the 1990s. And among U.S. citizens and permanent residents receiving philosophy PhDs in this country, 86% are non-Hispanic white. The only comparably-sized disciplines that are more white are the ones that explicitly focus on the European tradition, such as English literature. Black people are especially difficult to find in academic philosophy. Black people or African Americans constitute 13% of the U.S. population, 7% of PhD recipients across all fields, 2% of PhD recipients in philosophy, and less than 0.5% of authors in the most prominent philosophy journals. One of the main causes of homogeneity in philosophy, we believe, is subjectivity and bias in the evaluation of philosophical quality. What makes some works of philosophy good and others meh? It's not straightforward. In biology, you synthesize the protein or you don't. In math, you prove the long-standing conjecture. It's not always entirely clear in these fields what separates the good from the meh, but there are substantial external standards and constraints. Philosophy, in contrast, is partly about challenging existing standards. We admire philosophers whose central arguments are nearly impossible to understand, or who speak in paradoxes, who accept seemingly bizarre views, or who display dazzling skill with formal logical structures of no practical significance. Kant and Hegel are better loved than understood. It's almost aesthetic, the assessment of philosophical quality. And like aesthetic judgments, it's shaped by a huge range of factors — how well the view fits with your hopes and preconceptions, whether it's argued with confidence and flair, how clever or wise the author seems, how much other people admire the author. Whether a work is even read as a work of philosophy — rather than literature, religion, or journalism — depends partly on the author's social position and whether its topic and writing style fit disciplinary expectations. Potentially interesting work is disqualified, on unclear grounds, before the question of “good or meh” even arises. Similarly unclear are our grounds for assessing campus speakers and students in the classroom. Whom do you perk up and listen to? Whom do you credit with brilliance and insight? In philosophy, the line between the foolish and the unconventional-but-clever is hard to locate. To a substantial extent, what we assess is whether the person who is expressing the ideas in question sounds smart. If you're going to convince someone to take your perplexing, paradoxical ideas seriously, or if you're going to convince them that your impenetrable prose is worth the struggle, you had better first convince them that you're wicked smart. Being good at seeming smart is perhaps the central disciplinary skill for philosophers. This might explain why no academic discipline is more obsessed with the intelligence of its practitioners than philosophy. The philosopher Sarah-Jane Leslie and her colleagues recently asked faculty, graduate students and postdoctoral fellows from around the country to what extent they thought their discipline required a special aptitude “that just can't be taught.” Philosophers agreed with such statements more than scholars in any other subject area. Unfortunately, seeming smart is not a level playing field. In our culture, white men, especially white men from privileged backgrounds, have a large advantage in displaying the superficial features that attract high expectations. Social psychologists have demonstrated that identical resumes are rated more highly when the applicant is white or male than when the applicant is black or female. Emails from prospective graduate students are more likely to receive a reply if sent by someone with a stereotypically white male name than if sent by a woman or ethnic minority. Interviewers tend to credit black and dark-skinned Latino subjects with less intelligence, even when the interview answers are the same. In a recent study of biology students, anthropology doctoral candidate Daniel Z. Grunspan and colleagues found that male students were perceived by their peers as having a better understanding of the classroom material than their female classmates, even when controlling for grades and outspokenness in class. It's not that white men are innately better philosophers than women and people of color. It's that white men have better command of the cultural apparatus of seeming smart. As undergraduates, they enter the classroom with more self-confidence. They see faces like their own in front of the classroom and hear voices like their own coming from professors' mouths. In the philosophy classroom, they see almost exclusively white men as examples of great philosophers. They think “that's me” and they step into it. Those around them, their professors and fellow students, see them and think that person sounds smart — and these students are then further encouraged. When women and people of color do advance professionally, their colleagues may still not perceive them as sounding especially smart — a problem that's compounded if they decide not to confine themselves to traditional academic approaches. For example, if they choose to write for a popular rather than an academic audience or if they engage with thinkers outside of the mainstream canon. It's a double whammy. Before one writes or opens one's mouth, cultural biases favor white men over others. After the words come out, cultural biases favor a certain style. The next time you're tempted to dismiss a piece of writing—not just a work of philosophy, but any work that requires subjective evaluation — consider that your judgment likely reflects a range of influences that are difficult to see, many of them probably unlovely, culturally specific, and unrelated to intrinsic value.

Two implications:

1. Their scholarship is tainted and you should toss it out – don’t let them leverage their framing against the K as that would beg the question
2. The same mechanisms that produce academic inequality reproduce in-round inequality

#### Settler colonialism is both a both a structure and an event. The globalization of settler colonialism necessitates the 1AC as part of its attempt to complete the unfinished settler colonial project that converges symbiotically with militarism. The conditional imposition of debt repayment supplants this construction of settler de facto sovereignty that overcodes that of other nations.

Kim 18 [Jodi Kim Social Text 135 • Vol. 36, No. 2 • June 2018 Settler Modernity, Debt Imperialism, and the Necropolitics of the Promise] ChefDON//mads

This essay offers an investigation of US settler colonialism and military empire, a conjunction theorized as settler modernity, in the post–World War II era. It argues that settler modernity is an ensemble of relations significantly structured and continually reproduced through manifold regimes, relations, and forms of debt, and in particular through debt imperialism. Debt imperialism, as the essay elaborates, is a kind of temporal exception. It is a multiscalar process through which the United States imposes imperial power by rolling over its significant national debt indefinitely and not conforming to the homogeneous time of repayment that it imposes on others. This linking of debt and imperialism, indeed the ability to leverage great indebtedness into a form of imperialism, demonstrates how debt can function in such manifold and counterintuitive ways because it is not simply a financial economy. It is also crucially a figurative economy or narrative structure. The debt relation thus indexes something much broader than the sum of money owed. Indeed, it is a broader social relation, production of subjectivity, sleight of hand, and creation of a temporal exception through which US settler modernity functions and continually attempts to re-create itself. In this varied relation, debt curiously emerges in two seemingly antonymous forms: as a form of imperialism, on the one hand, and as a form of freedom, emancipation, or liberation, on the other. I focus on Asia and the Pacific as a crucial site where we witness a violent and specifically militarized convergence of these arrangements in the post–World War II conjuncture, when the US settler state also becomes a military empire. Transpacific connections within Asia, the Pacific, and the United States, the making of multiple Asian and Pacific Islander diasporas, subimperial dynamics and desires among Asian and Pacific regions and nations, and decolonial aspirations among the peoples of colonized territories are all animated by what might be called a colonial and gendered racial transpacific debt relation and militarism. I ask, moreover, how debt functions as a necropolitical regime for those impoverished, gendered racial, and colonized nations and subjects whose promissory notes must be fully repaid with interest. How has US settler modernity been constituted by this usurious necropolitics of the promise, even as it continually confers upon itself the temporal exception of debt imperialism, or the right not to keep its promises or even to evade the very need to promise? This analysis reveals that what is at stake in US settler modernity is not only the elision of conquest and genocide as the conditions of possibility for military empire, economic power, and the avowed defense of liberal democracy but also the attempt to possess metapolitical authority. Metapolitical authority, as distinct from mere political authority, is the ability to define and prescribe the very content and scope of “law” and “politics.”1 In invoking Asia and the Pacific as a site, it is not my intent to flatten the vast and complex heterogeneities and hierarchies within it, nor is it my intent to reproduce limitations in the frameworks of American studies, Asian American studies, Asian Pacific American studies, and Asian studies that are not sufficiently attentive to work in Native Pacific and Indigenous studies. Rather, my intent and hope are to interrogate the very production of the Asia-Pacific by the United States as a site of strategic interest. This geopolitical and geohistorical production calls for a relational analysis of distinct yet related forms of colonial domination — settler colonialism and military empire in particular — rather than a focus on one form that tends to elide the other. The United States as the literal testing ground for biopolitical tactics and technologies that are geopolitically and militarily projected abroad has produced and continues to produce Native displacement and dispossession, and that geopolitical and military projection abroad in Asia and the Pacific in turn produces Asian and Indigenous Pacific Islander migration. Indeed, as Jodi A. Byrd asks, “Given all these difficulties, how might we place the arrivals of peoples through choice and by force into historical relationship with indigenous peoples and theorize those arrivals in ways that are legible but still attuned to the conditions of settler colonialism?”2 In theorizing, then, the nexus of US settler colonialism and military empire in Asia and the Pacific as settler modernity, I also amplify Alyosha Goldstein’s contention that focusing exclusively on imperialism and empire can risk obscuring how territorial seizure, occupation, and expansion, differential modes of governance, and their attendant justifications remain the conditions of possibility for more indirect forms of rule, the vast network of military encampments, and global economies.3 Moreover, this essay understands settler colonialism and military empire as an ensemble of relations that continually need to re-create and renovate themselves, for they are incomplete and unexhausted projects.4 Indeed, the continual violence generated by settler colonialism and military empire is a mark or index of their very incompletion, as are the solidarities, oppositions, and continued survivals of communities and peoples against whom (and often ostensibly on behalf of whom) such violence is waged. I build on Patrick Wolfe’s important conceptualization of settler colonialism as a “logic of elimination” whose dominant feature is the acquisition of land (via the elimination of the Indigenous population and its replacement with the settler population) rather than the surplus value derived from mixing native labor with land. As such, for Wolfe, settler colonialism is a structure and not an event.5 Yet, insofar as settler colonialism is not a fait accompli but, rather, a process that requires continual renewal and renovation, I comprehend it as both a structure and an event. I link it, moreover, to military empire, observing how the United States is at once a settler state and an imperial power whose militarist logics condense in a particularly heightened form specifically in Asia and the Pacific. Yet still, as Iyko Day and others have importantly argued, we need to go beyond a binary theory of settler colonialism structured around a settler-Indigenous dialectic. Day maps out “the triangulation of Native, alien, and settler positions” in North America with an attentiveness to how divergent conditions of both forced and voluntary migration are significant features of US settler colonialism.6

**The alternative is unyielding decolonization—reject any and all attempts at reformism and assimilation**

**Walia ‘12** (Harsha, South Asian organizer and writer based in Vancouver Coast Salish Territories, “Moving Beyond a Politics of Solidarity Towards a Practice of Decolonization,” Jan 5, www.peopleofcolororganize.com/analysis/theory/moving-beyond-politics-solidarity-practice-decolonization/) \*\*\*We don’t endorse ableist language.

Decolonization is as much a process as a goal. It requires a profound re-centring of Indigenous worldviews in our movements for political liberation, social transformation, renewed cultural kinships, **and the development of an economic system that serves rather than threatens our collective life on this planet.** As stated by Toronto-based activist Syed Hussan “Decolonization is a dramatic re-imagining of relationships with land, people and the state. Much of this requires study, it requires conversation, it is a practice, **it is an unlearning**.” It is a positive sign that a growing number of social movements are recognizing that Indigenous self- determination must become the foundation for all our broader social-justice mobilizing. Indigenous peoples are the most impacted by the pillage of lands, experience disproportionate poverty and homelessness, are over-represented in statistics of missing and murdered women, and are the primary targets of repressive policing and prosecutions in the criminal injustice system. Rather than being treated as a single issue within a laundry list of demands, Indigenous self-determination is increasingly understood as intertwined with struggles against racism, poverty, police violence, war and occupation, violence against women, and environmental justice. Intersectional approaches can, however, subordinate and compartmentalize Indigenous struggle within the machinery of existing Leftist narratives: anarchists point to the anti-authoritarian tendencies within Indigenous communities, environmentalists highlight the connection to land that Indigenous communities have, anti-racists subsume Indigenous people into the broader discourse about systemic oppression, and women’s organizations point to relentless violence borne by Indigenous women in discussions about patriarchy. We have to be cautious to avoid replicating the state’s assimilationist model of liberal pluralism, whereby Indigenous identities are forced to fit within our existing groups and narratives. The inherent right to traditional lands and to self-determination is expressed collectively and should not be subsumed within the discourse of individual or human rights. Furthermore, it is imperative to understand being Indigenous as not just an identity but a way of life, which is intricately connected to Indigenous people’s relationship to the land and all its inhabitants. Indigenous struggle cannot simply be accommodated within other struggles; it demands solidarity on its own terms.

### FWRK

#### The role of the ballot should be the team who best deconstructs and combats settler colonialism.

#### You should view the 1ac as a research project, in which we test the represenatations of the aff and the epistemology of the aff.

#### Its better for debate – the aff will never actually happen in the real world, and testing the actual education and representations of the 1ac changes our views of the realworld and allows us to get more education.

**The central question of this debate is that the exclusion of the indigenous provides the ontological grounding for modern sovereignty - any analysis which fails to foreground these histories is doomed to reproduce the horrors of colonialism**

Also makes an indict of security rhetoric; war allows the sovereign colonizer to continue its violent imposition

**Byrd ‘11**(Jodi, Chickasaaw and Asst. Prof of American Indian Studies and English at the University of Illinois at Urbana-Champaign, *The Transit of Empire: Indigenous Critics of Colonialism*, p. xvii-xxi)

1. The Transit of Empire begins with a network of conflicting definitions to reflect upon the cultural and political modes of "Indianness" regulated and produced by U.S. settler imperialism née colonialism. Primarily, this book is essayistic, provisional, and some of its readings and conclusions often defy the expected affective common sense of liberal multiculturalism invested in acknowledgements, recognitions, equality, and equivalences. Transit is slightly provocative, an incomplete point of entry, and its provenance might be more suited to diaspora studies and border-crossings than to a notion such as indigeneity that is often taken as rooted and static, located in a discrete place. Steven Salaita's The Holy Land in Transit denotes transit alternately as the function of an alliance between United States and Israeli settler colonialisms that map old world sacred names onto new world sacred sites, a comparative approach to American Indian and Palestinian literatures, and finally a gesture towards the ways in which peoples have been forced to move and relocate.' Gerald Vizenor's work offers another way to frame modes of indigeneity in his concept of transmotion that he defines as a "sense of native motion and an active presence (that) is sui generis sovereignty. Native transmotion is survivance, a reciprocal use of nature, not a monotheistic, territorial sovereignty. Native stories of survivance are the creases of transmotion and sovereignty." Those creases, according to Vizenor, are apprehended in the complementarities of stories, associations, intimacies, and reincarnations that resist absence and possession. 2 The Chickasaws have a migration story that we tell. In search of a new homeland, twin brothers, Chikasah and Chatah, were charged with leading the people as they traveled across the land. Ababinili had given them a sacred pole, the lrohta falaya, that would point the way. After each day of travel, Chikasah would plant the long pole in the earth, and each morning the brothers would rise to find the pole leaning eastward in the directionthey needed to travelled by a white dog and the Milky Way, the brothers and the people traveled for years, always following the direction of the pole. Until one morning. At sunrise, the brothers awoke to find the pole standing almost straight upright. Chatah insisted that the pole confirmed that their travels were done, but Chikasah disagreed and argued that the pole still leaned, that there was still further to go. After continued debate, the question was put to the people-those who agreed with Chatah would stay and make a life there as Choctaws, in the lands that would become central Mississippi and those who sided with Chikasah would travel further east to finally live in what is now northern Mississippi. Chickasaw sovereignty is, according to our national motto, unconquered and unconquerable. It is contrary and stubborn. But the creases of Chickasaw movement demonstrate how sovereignty is found in diplomacy and disagreement, through relation, kinship, and intimacy. And in an act of interpretation. To be in transit is to be active presence in a world of relational move ments and countermovements. To be in transit is to exist relationally, multiply. There is more than one way to frame the concerns of The Transit of Empire and more than one way to enter into the possibilities that transit might allow for comparative studies. On the one hand, I am seeking to join ongoing conversations about sovereignty, power, and indigeneity—and the epistemological debates that each of these terms engender—within and across disparate and at times incommensurable disciplines and geographies. American studies, queer studies, postcolonial studies, American Indian studies, and area studies have all attempted to apprehend injury and redress, melancholy and grief that exist in the distances and sutures of state recognitions and belongings. Those distances and sutures of recognitions and belongings, melancholy and grief, take this book from the worlds of Southeastern Indians to Hawai’i. from the Poston War Relocation Center to Jonestown. Guyana, in order to consider how ideas of “Indianness” have created conditions of possibility for U.S. empire to manifest its intent. As liberal multicultural settler colonialism attempts to flex the exceptions and exclusions that first constituted the United States to now provisionally indude those people othered and abjected from the nation-state's origins, it instead creates a cacophony of moral claims that help to deflect progressive and transformative activism from dismantling the ongoing conditions of colonialism that continue to make the United States a desired state formation within which to be included. **That cacophony of competing struggles** for hegemony within and outside institutions of power, no matter how those struggles might challenge the state through loci of **race, class, gender, and sexuality**, **serves to misdirect and cloud attention** from the underlying structures of settler colonialism that made the United States possible as oppressor in the first place. As a result, the cacophony produced through U.S. colonialism and imperialism domestically and abroad often coerces struggles for social justice for queers, racial minorities, and immigrants into complicity with settler colonialism. This book, on the other hand, is also interested in the quandaries poststructuralism has left us: the traces of indigenous savagery and "Indianness" that stand a priori prior to theorizations of origin, history, freedom, constraint, and difference.' These traces of "Indianness" are vitally important to understanding how power and domination have been articulated and practiced by empire, and yet because they are traces, they have often remained deactivated as a point of critical inquiry as theory has transited across disciplines and schools. Indianness can be felt and intuited as a presence, and yet apprehending it as a process is difficult, if not impossible, precisely because Indianness has served as the field through which structures have always already been produced. Within the matrix of critical theory, lndianness moves not through absence but through reiteration, through meme, as theories circulate and fracture, quote and build. The prior ontological concerns that interpellate Indianness and savagery as ethnographic evidence and example, lamentable and tragic loss, are deferred through repetitions. How we have come to know intimacy, kinship, and identity within an empire born out of settler colonialism is predicated upon discourses of indigenous displacements that remain within the present everydayness of settler colonialism, even if its constellations have been naturalized by hegemony and even as its oppressive logics are expanded to contain more and more historical experiences. I hope to show through the juridical, cultural, and literary readings within this book that indigenous critical theory provides alternatives to the entanglements of race and colonialism, intimacy and relationship that continue to preoccupy poststructuralist and postcolonial studies. The stakes could not be greater, given that currently U.S. empire has manifested its face to the world as a war machine that strips life even as it demands racialized and gendered normativities. The post-9/11 national rhetorics of grief, homeland, pain, terrorism, and security have given rise to what Judith Butler describes as a process through which the Other becomes unreal. “The derealization of the ‘Other’” Butler writes, “means that it is neither alive nor dead, but interminably spectral. The infinite paranoia that imagines the war against terrorism as a war without end will be one that justifies itself endlessly in relation to the spectral infinity of its enemy, regardless of whether or not there are established grounds to suspect the continuing operation of terror cells with violent aims.”4 But this process of derealization that Butler marks in the post-9/11 grief that swept the United States, one could argue, has been functioning in Atlantic and Pacific "New Worlds" since 1492. As Geonpul scholar Aileen Moreton-Robinson argues, discourses of security are "deployed in response to a perceived threat of invasion and dispossession from Indigenous people; and in the process, paranoid patriarchal white sovereignty manages its anxiety over dispossession and threat through a “pathological relationship to indigenous sovereignty.” In the United States, **the Indian is the original enemy combatant who cannot be grieved**. Within dominant discourses of postracial identity that depend on the derealization of the Other, desires for amnesty and security from the contradictory and violent occupations of colonialist wars exist in a world where, as Gayatri Chakravorty Spivak points out, "metropolitan multiculturalism-the latter phase of dominant postcolonialism-precomprehends U.S. manifest destiny as transformed asylum for the rest of the world."6 As a result, the Indian is left nowhere and everywhere within the ontological premises through which U.S. empire orients, imagines, and critiques itself. The Transit of Empire, then, might best be understood as a series of preliminary reflections on how ideas of Indians and Indianness have served as the ontological ground through which U.S. settler colonialism enacts itself as settler imperialism at this crucial moment in history when everything appears to be headed towards collapse.

### Case

#### The counter role of the ballot is to determine if implementing the aff is a good idea. To clarify, it’s comparative worlds

#### [1] Topic lit – this ignores very good policy, soft left, and K aff ground which moots prep and pigeonholes negative ground to bad frameworks. Makes your 1NC easy because you prepped for these case positions only. That outweighs – pre-round abuse controls internal link to in round

#### [2] Advocacy skills – policymakers don’t act off truth statements; instead, they act off what they determine they should do. Roleplay forces us to advocate for actions and actively engage each other’s’ advocacies – key to make effective decisions is the most lasting and important skill gained through debating.

#### [3] Truth Testing Collapses—we know a statement is true because it creates a better world

#### [4] Resolvability and destroys topic lit

**Mangus** (Michael, “the value-comparison paradigm: a turn away from truth-testing,”)

irresolvable debates. instead of reaching a sortof strategically-skewed synthesis, these two forces instead create debates that leave judges dumbfounded. the affirmative will drop an overview that “proves” the resolution contradictory while the negative will drop a spike that “proves” the resolution tautological. if the judge is lucky, one of these arguments will somehow respond to or undermine the other and a decision can be rendered with some degree of fairness. oftentimes, however, there is no comparison between the arguments and no obvious interaction between them. even in the first case, this is not the pinnacle of substantive debate. in the latter case, it is a direct invitation for judge intervention. this is not isolated to the lower brackets of tournaments either – many high-powered prelims and elimination rounds feature these strategies.

#### [5] Prefer comparative worlds

* 1. **Truth testing devolves – we still have to compare the worlds of truth and falsity**
  2. **Substantive debate – authors write about the topic from a comparative worlds lens – means our model is more educational because it’s the only one that promotes topic discussion– education is good – it’s the only portable impact from debate, we care about what we learn not if we were fair**
  3. **Ground – our model encourages argument innovation and more possibilities for arguments – lets the neg read CPs, Ks, Das which you wouldn’t get under TT**

#### Interpretation: All arguments concerning fairness or education must be read first in the affirmative speech. To clarify, theory arguments must be read at the top of the affirmative case before all substantive arguments.

#### Standards:

#### 1] Neg strat – spikes change neg strat cuz they operate on the highest layer – if they read all the substance first, neg prep is screwed cuz my substantive strat would be nullified by your theory arguments i.e. no neg fiat would take out a CP I was planning to read for 5min

#### 2] Substantive education – spikes on top means it’s easier for negs to plan a strategy that meets the spikes to ensure that debaters have better substantive debate. Outweighs: a) timeframe – we only have 2 months for each topic but 4 years for theory, b) it develops advocacy skills by learning more about real world policies.

#### 3] No cross application of spikes and this shell outweighs – this indicts their ability to use spikes since they affected my strategy in the first place and any 1ar cross apps prove abuse

#### Fairness is a voter—debate is a competitive activity that requires objective evaluation and ow other voters on irriversibilty. Education is a voter, it’s the benefit to debate. Drop the debater—the abuse has already occurred and my time allocation has shifted—also the shell indicts your whole aff—justifies severance which skews my strat. Use competing interps—leads to a race to the top since we figure out the best possible norm and avoids judge intervention since there’s a clear briteline. No RVIs—

Baiting—they’ll just bait theory and prep it out—justifies infinite abuse and results in a chilling effect

#### Permissibility negates:

[1] Semantics – Ought is defined as expressing obligation 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 outweighs – A. it’s key to predictability since we prep based on the wording of the res 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.

#### Individuals must be considered to have a right to property, otherwise it’s impossible to consider them as volitional

**Kant 1797** - Immanuel. Kant: The Metaphysics of Morals (Cambridge Texts in the History of Philosophy) 2nd Edition. by Immanuel Kant (Author, philosopher), Mary J. Gregor (Editor), Roger J. Sullivan (Introduction). Cambridge University Press 1996. 1797

It is possible for me to have any external object of my choice as mine, that is, a maxim by which, if it were to become a law, an object of choice would in itself (objectively) have to belong to no one (res nullius) is contrary to rights.24 [6:251] For an object of my choice is something that I have the physical power to use. If it were nevertheless absolutely not within my rightful power to make use of it, that is, if the use of it could not coexist with the freedom of everyone in accordance with a universal law (would be wrong), then freedom would be depriving itself of the use of its choice with regard to an object of choice, by putting usable objects beyond any possibility of being used; in other words, it would annihilate them in a practical respect and make them into res nullius**, even though** in the use of things choice was formally consistent with everyone’s outer freedom in accordance with universal laws. – But since pure practical reason lays down only formal laws as the basis for using choice and thus abstracts from its matter, that is, from other properties of the object provided only that it is an object of choice, it can contain no absolute prohibition against using such an object, since this would be a contradiction of outer freedom with itself. – But an object of my choice is that which I have the physical capacity25 to use as I please, that whose use lies within my power26 (potentia). This must be distinguished from having the same object under my control27 (in potestatem meam redactum), which presupposes not merely a capacity but also an act of choice. But in order to think of something simply as an object of my choice it is sufficient for me to be conscious of having it within my power. – It is therefore an a priori presupposition of practical reason to regard and treat any object of my choice as something which could objectively be mine or yours.

#### The inventor’s property rights must be legally enforced through IP protections.

**Sonderholm 10 discusses** [Jorn Sonderholm (Professor with Specific Responsibilities at Aalborg University, Denmark, PhD in Philosophy from the University of St Andrews, UK, director of the Centre for Philosophy and Public Policy (C3P)), “Ethical Issues Surrounding Intellectual Property Rights”, Philosophy Compass 5/12 (2010): 1107–1115] SG

Traditionally, two distinct lines of thought have been fielded for the suggestion that IPRs are ethically justifiable. **One line of thought appeals to a natural right of an inventor to control the use of her innovation. This is the libertarian defense of IPRs** which has its historical roots in the writings of John Locke (Locke 1690). Robert Nozick has in more modern times been an advocate for this line of thought (Nozick 1974). **The libertarian view endows individuals with a natural right of appropriation.** This is the idea that **any innovator ⁄ worker who mixes her labor with a previously unowned object or natural resource comes to own this object or resource in full and can legitimately deny that other people use ⁄ appropriate this object or resource.** The natural right of appropriation central to libertarianism has an important proviso (famously formulated by Locke) which is an ‘enough and as good’ clause on original appropriation. The proviso states that one can only appropriate unowned resources if one leaves enough and as good for others. Where resources are scarce, one cannot legitimately stake a claim to something by annexing one’s labor to it. Neither can one come to own the scarce resource by enhancing its value. If the resource is necessary for the continued well-being of others, then the fact that x was the one who developed or improved the resource does not give x exclusive rights over it. x’s entitlement to reward for her labor is overridden by the entitlement of others to that which is necessary for their survival. **On the libertarian view, there is no morally relevant difference between, say, a farmer who mixes her labor with the land and thereby come to own the results of this interaction (the timber, the harvest, the fruits, etc.) and a medical researcher who mixes her labor with certain chemicals and thereby come to own the results of the interaction (physical objects and an intellectual idea ⁄ formula for an useful drug).** Provided that the farmer and the medical researcher pay heed to the Lockean proviso, they both come to enjoy a strong property right on the objects that result from their mixing their labor with unowned natural resources. **This natural property right is**, moreover, to be **written into the legal framework and enforced by the proper authorities** (police and courts of law). **Libertarians can therefore see trade agreements such as TRIPS as a legitimate legal enforcement of a pre-existing natural ⁄ moral right.**

#### Moral and economic rights go hand-in-hand – authors deserve compensation if others benefit from their work.

**Pozzo 06** [Riccardo Pozzo (Professor of History of Philosophy at University of Verona, PhD from Saarland University), “Immanuel Kant on Intellectual Property”, Trans/Form/Ação, v.29(2), 2006, p.11-18] SG \*brackets for gendered language

**The peculiarity of intellectual property consists thus first in being indeed a property, but property of an action; and second in being indeed inalienable, but also transferable in commission and license to a publisher. The bond the author has on [their] his work confers [them]** him **a moral right that is indeed a personal right. It is also a right to exploit economically [their] his work in all possible ways, a right of economic use**, which is a patrimonial right. Kant and Fichte argued that **moral right and the right of economic use are strictly connected**, and that the **offense to one implies inevitably offense to the other.** In eighteenth-century Germany, the free use came into discussion among the presuppositions of a democratic renewal of state and society. In his Supplement to the Consideration of Publishing and Its Rights, Reimarus asked writers “instead of writing for the aristocracy, to write for the tiers état of the reader’s world.” (Reimarus, 1791b, p.595). He saluted with enthusiasm the claim of disenfranchising from the monopoly of English publishers expressed in the American Act for the Encouragement of Learning of May 31, 1790. **Kant**, however, **was firm in embracing intellectual property.** Referring himself to Roman Law, he asked for its legislative formulation not only as patrimonial right, but also as a personal right. In Of the Illegitimity of Pirate Publishing, **he considered the moral faculties related to intellectual property as an “inalienable right** (ius personalissimum) always himself to speak through anyone else, the right, that is, that no one may deliver the same speech to the public other than in his (the author’s) name” (Kant, 1902, t.8, p.85). Fichte went farther in the Demonstration of the Illegitimity of Pirate Publishing. He saw intellectual property as a part of his metaphysical construction of intellectual activity, which was based on the principle that thoughts “are not transmitted hand to hand, they are not paid with shining cash, neither are they transmitted to us if we take home the book that contains them and put it into our library. In order to make those thoughts our own an action is still missing: we must read the book, meditate – provided it is not completely trivial – on its content, consider it under different aspects and eventually accept it within our connections of ideas” (Fichte, 1964, t.I/1, p.411). At the center of the discussion was the practice of reprinting books in a pirate edition after having them reset word after words after an exemplar of the original edition. Given Germany’s division in a myriad of small states, the imperial privilege was ineffective against pirate publishing. **Kant** and Fichte **spoke for the acceptance of the right to defend the work of an author by the usurpations of others so that [they] he may receive a patrimonial advantage from those who utilize the work acquiring new knowledge and/or an aesthetic experience.** In particular, Fichte declared the absolute primacy of the moral faculties within the corpus mysticum. He divided the latter into a formal and a material part. “This intellectual element must be divided anew into what is material, the content of the book, the thoughts it presents; and the form of these thoughts, the manner in which, the connection in which, the formulations and the words by means of which the book presents them” (Fichte, 1964, t.I/1, p.411). Fichte’s underlining the author’s exclusive right to the intellectual content of his book – “the appropriation of which through another is physically impossible” (ibid.) – brought him to the extreme of prohibiting any form of copy that is not meant for personal use.