### 1NC

#### The Debt Ceiling expansion gives Democrats two months to finalize and pass Biden’s spending package – every moment is necessary to resolve intraparty disputes

Cochrane 10/7 Cochrane, Emily. Emily Cochrane is a correspondent based in Washington. She has covered Congress since late 2018, focusing on the annual debate over government funding and economic legislation, ranging from emergency pandemic relief to infrastructure. "Senate Leaders Agree to Vote on Short-Term Debt Ceiling Increase." N.Y. Times, 7 Oct. 2021, www.nytimes.com/2021/10/07/us/politics/debt-ceiling-senate.html.

Senator Chuck Schumer of New York, the majority leader, announced that he reached an agreement with Senator Mitch McConnell of Kentucky, the minority leader, to raise the federal borrowing limit through early December. “We have reached agreement to extend the debt ceiling through early December, and it’s our hope that we can get this done as soon as today.” “Republican and Democratic members and staff negotiated through the night in good faith. The pathway our Democratic colleagues have accepted will spare the American people any near-term crisis.” Video player loading Senator Chuck Schumer of New York, the majority leader, announced that he reached an agreement with Senator Mitch McConnell of Kentucky, the minority leader, to raise the federal borrowing limit through early December.CreditCredit...T.J. Kirkpatrick for The New York Times Oct. 7, 2021Updated 3:17 p.m. ET WASHINGTON — Top Senate Democrats and Republicans said on Thursday that they had struck a deal to allow the debt ceiling to be raised through early December, temporarily staving off the threat of a first-ever default on the national debt after the G.O.P. agreed to temporarily drop its blockade of an increase. Senator Chuck Schumer, Democrat of New York and the majority leader, announced that he had reached an agreement with Senator Mitch McConnell of Kentucky, the minority leader, to clear the way for a vote as early as Thursday on a short-term extension, with potentially as few as 11 days left before a possible default. The movement came the day after Mr. McConnell partly backed down from his refusal to allow any such increase to move forward, offering a temporary reprieve as political pressure mounted to avoid being blamed for a fiscal calamity. “It’s our hope that we can get this done as soon as today,” Mr. Schumer said on Thursday morning on the Senate floor. But one day after Mr. McConnell indicated that Republicans would stand aside and allow the short-term increase to advance, he and his top deputies were laboring on Thursday to ensure his members will put aside their objections and clear the path for a vote. “We gotta see if the deal is done,” President Biden told reporters during a trip to Illinois. “I’m not sure of that yet.” The agreed-upon bill would boost the legal debt cap by $480 billion, which the Treasury Department estimates would be enough to allow the government to continue borrowing through at least Dec. 3. The current debt limit was reinstated at $28.4 trillion on Aug. 1, and the Treasury Department has been using so-called extraordinary measures to delay a breach of the borrowing cap since then. The agency estimated that the government would no longer be able to pay all of its bills by Oct. 18, once those fiscal accounting maneuvers were exhausted. Without congressional action before then, economists and lawmakers have warned of catastrophic economic consequences, including the U.S. government having to choose between making payments on the interest on its debt or sending out Social Security checks and other crucial assistance. The legislation under consideration on Thursday did not offer a hard deadline for when cash would run out, and it would not restart the Treasury Department’s ability to employ extraordinary measures, such as curbing certain government investments, a Treasury official said. Some Republicans said they thought the set dollar figure would ensure the limit would not be reached again until at least January. The actual “X-date” will be determined by tax revenues that the government receives and expenditures that it must make near the end of the year. Making such projections has been especially difficult this year because the pandemic relief programs that are in place have made it harder to predict when money is coming and going. “There is no way to predict with any precision exactly how much you would need to increase the debt limit by to get to a certain date,” said Shai Akabas, the director of economic policy at the Bipartisan Policy Center, an independent think tank. But in aiming for Dec. 3, the deal may position the next debt limit fight to overlap once again with negotiations over avoiding a government shutdown, as funding is set to lapse on that same day if Congress does not approve new spending legislation beforehand. Democrats hope nearly two additional months will give them space to focus on finalizing and enacting most of President Biden’s domestic agenda, including hammering out an array of intraparty disagreements over an expansive multi-trillion-dollar social safety net and climate change package. In raising the prospect of a stopgap extension on Wednesday, Mr. McConnell had said that Republicans would allow Democrats to use normal procedures to consider it. But that commitment appeared in doubt on Thursday afternoon, as Republicans privately objected and leaders toiled to line up the votes needed. Should even one senator demand a recorded vote, at least 10 Republicans would be needed to join every Democrat to muster the 60 votes needed to move the bill forward. Image The movement on debt ceiling negotiations came the day after Senator Mitch McConnell backed down partially from his refusal to allow any such increase to move forward. Credit...T.J. Kirkpatrick for The New York Times “We’re having conversations with our members and kind of figuring out where people are, but, as you might expect, this is not an easy one to whip,,” said Senator John Thune of South Dakota, the No. 2 Republican. He added that, “in the end we’ll be there, but it will be a painful birthing process.” Some Republicans were wary of angering their base by allowing the bill to move forward, especially after former President Donald J. Trump issued a statement on Wednesday that attacked Mr. McConnell for “folding to the Democrats.” Mr. Trump seemed to be pressuring Republicans to force a showdown in the face of a looming default, saying that Mr. McConnell had “all of the cards with the debt ceiling, it’s time to play the hand.” Even if Republicans clear the way to allow the measure to pass, it does nothing to address the crux of the partisan stalemate over the debt. Most notably, Republicans have not dropped their demand that Democrats ultimately use an arcane and time-consuming budget process known as reconciliation to lift the debt ceiling into next year. Democrats are currently using that process to steer around Republican opposition and push through a sprawling domestic package that would address climate change, expand the social safety net with more health care and education benefits, and increase taxes on the wealthy and corporations. “The pathway our Democratic colleagues have accepted will spare the American people any near-term crisis,” Mr. McConnell said on the Senate floor. The extension, he added, also means “there’ll be no question they’ll have plenty of time” to use the reconciliation process to approve a long-term increase.

#### Pushing a WTO takes time, energy, and political capital away from domestic legislation – big pharma and EU allies

Bhadrakumar 5/9 M K Bhadrakumar is a former Indian diplomat. "Biden’s talk of vaccine IP waiver is political theater." Asia Times, May 9, 2021, asiatimes.com/2021/05/bidens-talk-of-vaccine-ip-waiver-is-political-theater.

On the other hand, Biden, whose political life of half a century was largely spent in the US Congress, is well aware of the awesome clout of the pharmaceutical companies in American politics. From that lobby’s perspective, the patent waiver “amounts to the expropriation of the property of the pharmaceutical companies whose innovation and financial investments made the development of Covid-19 vaccines possible in the first place,” as a senior scholar at the Johns Hopkins Center for Health Security puts it. The US pharmaceutical industry and congressional Republicans have already gone on the offensive blasting Biden’s announcement, saying it undermines incentives for American innovation. Besides, the argument goes, even with the patent waiver, vaccine manufacturing is a complex process and is not like simply flipping a switch. Senator Richard Burr, the top Republican on the US Senate Health Committee, denounced Biden’s decision. “Intellectual property protections are part of the reason we have these life-saving products,” he said. “Stripping these protections only ensures we won’t have the vaccines or treatments we need when the next pandemic occurs.” The Republican senators backed by Republican Study Committee chairman Jim Banks propose to introduce legislation to block the move. Clearly, Biden would rather spend his political capital on getting the necessary legislation through Congress to advance his domestic reform agenda rather than spend time and energy to take on the pharmaceutical industry to burnish his image as a good Samaritan on the world stage. Conceivably, Biden could be counting on the “text-based negotiations” at the WTO dragging on for months, if not years, without reaching anywhere. The US support for the waiver could even be a tactic to persuade pharmaceutical firms to back less drastic steps like sharing technology and expanding joint ventures to boost global production quickly. So far Covid-19 vaccines have been distributed primarily to the wealthy countries that developed them, while the pandemic sweeps through poorer ones such as India, and the real goal is, after all, expanded vaccine distribution. Biden is well aware that there will be huge opposition to the TRIPS waiver from the United States’ European allies as well. The British press has reported that the UK has been in closed-door talks at the World Trade Organization in recent months along with the likes of Australia, Canada, Japan, Norway, Singapore, the European Union and the US, who all opposed the idea.

#### Package is sufficient, necessary, and the last opportunity to solve climate change – extinction

Leber 10/7 Leber, Rebecca. Rebecca Leber covers climate change for Vox. Before joining Vox, she was an environmental reporter at Mother Jones, where her investigations exposed government corruption and fossil fuel industry disinformation. She has worked as a staff writer at Grist, The New Republic, and ThinkProgress. A dozen more outlets have published her work over her decade as a climate journalist. "A last chance for US climate action: Democrats’ Build Back Better and infrastructure bills." Vox, 7 Oct. 2021, www.vox.com/22685920/democrats-infrastructure-build-back-better-climate-change.

The United States — the largest carbon polluter in history — is closer than it’s ever been to taking sweeping and lasting action on the climate crisis. The bad news is that if Democrats can’t pull it off, they may never get another opportunity like this — and the planet certainly won’t. Democratic leaders are trying to pass two major pieces of legislation — the $1 trillion bipartisan infrastructure bill and the up to $3.5 trillion Build Back Better Act — that they say can slash US pollution by up to 45 percent in the coming decade. In the outlined Build Back Better Act, Congress would flex its power to transform the electricity sector so that it runs on mostly clean energy, steer the transportation sector toward electric vehicles, and finally take action on methane pollution, one of the most harmful greenhouse gases. But there have been many recent moments when the precarious dealmaking in Congress seemed close to falling apart. One of the biggest sticking points has been with West Virginia Sen. Joe Manchin, who has questioned the party’s approach to passing both bills simultaneously. “What’s the urgency that we have?” Manchin asked on CNN’s State of the Union in late September. In part because of Manchin’s opposition, even progressive leaders have begun to manage expectations, signaling the ultimate bill will be less ambitious. Sen. Bernie Sanders of Vermont suggested that the $3.5 trillion figure would see some “give and take.” The package is likely to shrink to $2.3 trillion or less, the New York Times reported on Wednesday. So what is the urgency? Democrats only have one year before midterm elections could take away their narrow majorities in the House and Senate. That would leave them powerless to pass any legislation without help from Republicans. At the same time, the planet faces a rapidly closing window to avert the worst catastrophes of global warming. Every fraction of a degree will translate into lives and livelihoods lost. The world can’t afford another decade of American inaction, and what Congress does next will help determine the future of the climate. A last chance for Democrats Historically, the president’s party loses seats in Congress in midterm elections. Next November, Democrats could lose their narrow control of Congress if they lose even one Senate seat or more than a few House seats. “The middle of that Venn diagram — when we have leaders who care about science and we still have that window of opportunity — is now,” said Lena Moffitt, campaign director at the climate advocacy group Evergreen Action. Democrats in Congress are also relying on a roughly once-a-year process, known as budget reconciliation, to try and push the Build Back Better Act through the Senate. Reconciliation allows them to pass a budget with a simple majority, instead of the 60 votes that are usually required in the Senate. There might not be time or political will to make a similar move in 2022. And some Democrats remain unwilling to eliminate the Senate filibuster, which is the other way they could pass progressive policies. In short, if the historical pattern holds, Democrats may not get another chance under President Biden — or even this decade — to take serious action on climate. Some Republicans have been hinting at taking climate change more seriously, but much of the party’s leadership continues to downplay and deny climate science. The next time the US has an opening like this, climate change will likely be dramatically worse — and that much harder to stop. A flooded street of shops at night reflecting the lights in the water. Hurricane Ida caused record flooding in New Jersey in September. Climate change is already intensifying extreme weather such as tropical storms and heat waves. Anadolu Agency via Getty Images The best chance for the global climate Climate scientists have warned that once the atmosphere warms more than 1.5 degrees Celsius, we will live in a drastically changed world. If countries, corporations, and individuals don’t take immediate action to reduce pollution, the world may hit that grim milestone in just 10 years. Over the long term, if the world continues on its current polluting path, the world will warm more than double that amount, risking catastrophes humanity has never had to confront. The window to chart a new course is rapidly closing. And the world’s “last, best chance” to take decisive collective action is less than a month away, as John Kerry, who serves as President Biden’s climate envoy, has said. In early November, world governments will gather in Glasgow for the United Nations climate conference, COP26. Following up on the Paris climate accord, countries will pledge more ambitious pollution targets and tackle the challenge of financing a worldwide transition to clean energy. The US bears the most responsibility of any country for global warming, having released 20 percent of the world’s greenhouse pollution since 1850. Today, the country ranks second in emissions behind China. But the US also has the power to magnify its impact if it leads by example, or if it flexes its influence on the global economic system, for example by affecting global prices of fossil fuels by ending government subsidies. Climate experts say progress at the COP26 conference depends on the United States proving it can do its part, for symbolic as well as practical reasons. This is the first year the US officially returns to global negotiations after former President Donald Trump withdrew the country from the Paris climate accord. Now, Biden has to lead by example by showing that the country can swiftly change direction for good, demonstrating progress on its national pledge of cutting emissions 50 to 52 percent by 2030. “There is this sense of exhaustion about how long is it going to take for one of the biggest emitters in the world to do its fair share,” said Rachel Cleetus, the clean energy policy director at the Union of Concerned Scientists. It’s unclear whether Congress will deliver on climate-change legislation by the time the international community meets in Glasgow. But any steps forward would send “a very important signal that can really help catalyze more ambition from other countries,” Cleetus said.

#### Warming causes extinction –hurts marginalized communities the most

Melton 19 [Michelle Melton is a 3L at Harvard Law School. Before law school, she was an associate fellow in the Energy and National Security Program at the Center for Strategic and International Studies, where she focused on climate policy. Climate Change and National Security, Part II: How Big a Threat is the Climate? January 7, 2019. https://www.lawfareblog.com/climate-change-and-national-security-part-ii-how-big-threat-climate]

At least until 2050, and possibly for decades after, climate change will remain a creeping threat that will exacerbate and amplify existing, structural global inequalities. While the developed world will be negatively affected by climate change through 2050, the consequences of climate change will be felt most acutely in the developing world. The national security threats posed by climate change to 2050 are likely to differ in degree, not kind, from the kinds of threats already posed by climate change. For the next few decades, climate change will exacerbate humanitarian crises—some of which will result in the deployment of military personnel, as well as material and financial assistance. It will also aggravate natural resource constraints, potentially contributing to political and economic conflict over water, food and energy.

The question for the next 30 years is not “can humanity survive as a species with 1.5°C or 2°C of warming,” but, “how much will the existing disparities between the developed and developing world widen, and how long (and how successfully) can these widening political/economic disparities be sustained?” The urgency of the climate threat in the next few decades will depend, to a large degree, on whether and how much the U.S. government perceives a widening of these global inequities as a threat to U.S. national security.

By contrast, if emissions continue to creep upward (or if they do not decline rapidly), by 2100 climate-related national security threats could be existential. The question for the next hundred years is not, “are disparities politically and economically manageable?” but, “can the global order, premised on the nation-state system, itself based on territorial sovereignty, survive in a world in which substantial swathes of territory are potentially uninhabitable?”

National Security Consequences of Climate Change to 2050

Scientists can predict the consequences of climate change to 2050 with some measure of certainty. (Beyond that date, the pace and magnitude of climate change—and therefore, the national security threat posed by it—depend heavily on the level of emissions in the coming years, as I have explained.) There is relative agreement across modeled climate scenarios that the world will likely warm, on average, at least 1.5°C above pre-industrial levels by about 2050—but perhaps as soon as 2030. This level of warming is likely to occur even if the world succeeds in dramatically reducing greenhouse gas emissions, as even the recent Intergovernmental Panel on Climate Change (IPCC) report implicitly admits. In other words, a certain amount of additional warming—at least 1.5°C, and probably more than that—is presumptively unavoidable.

Looking ahead to 2050, it can be said with relative confidence that the national security consequences of climate change will vary in degree, not in kind, from the national security threats already facing the United States. This is hardly good news. Even small differences in global average temperatures result in significant environmental changes, with attendant social, economic and political consequences. By 2050, climate change will wreak increasing havoc on human and natural systems—predominantly, but not exclusively, in the developing world—with attenuated but profound consequences for national security.

In particular, changes in temperature, the hydrological cycle and the ranges of insects will impact food availability and food access in much of the world, increasing food insecurity. Storms, flooding, changes in ocean pH and other climate-linked changes will damage infrastructure and negatively impact labor productivity and economic growth in much of the world. Vector-borne diseases will also become more prevalent, as climate change will expand the geographic range and intensity of transmission of diseases like malaria, West Nile, Zika and dengue fever, and cholera. Rising public health challenges, economic devastation and food insecurity will translate into an increased demand for humanitarian assistance provided by the military, increased migration—especially from tropical and subtropical regions—and geopolitical conflict.

Long-term trends such as declining food security, coupled with short-term events like hurricanes, could sustain unprecedented levels of migration. The 2015 refugee crisis in Europe portends the kinds of population movements that will only accelerate in the coming decades: people from Africa, Southwest and South Asia and elsewhere crossing land and water to reach Europe. For the United States, this likely means greater numbers of people seeking entry from both Central America and the Caribbean. Such influxes are not unprecedented, but they are unlikely to abate and could increase in volume over the next few decades, driven in part by climate change-related food insecurity, climate change-related storms and also by economic and political instability. Food insecurity, economic losses and loss of human life are also likely to exacerbate existing political tensions in the developing world, especially in regions with poor governance and/or where the climate is particularly vulnerable to warming (e.g., the Mediterranean basin). While the Arab Spring had many underlying causes, it also coincided with a period of high food prices, which arguably contributed to the protests. In some situations, food insecurity, economic losses and public health crises, combined with weak and ineffectual governance, could precipitate future conflicts of this kind—although it will be difficult to know where and when without more precise local studies of both underlying political dynamics and the regionally-specific impacts of climate change.

2100 and Beyond

While the national security impacts of climate change to 2050 are likely to be costly and disruptive for the U.S. military—and devastating for many people around the world—at some point after 2050, if warming continues at its current pace, changes to the climate could fundamentally reshape geopolitics and possibly even the current nation-state basis of the current global order.

To be clear, both the ultimate level of warming and its attendant political consequences is highly speculative, for the reasons I explained in my last post. Nonetheless, we do know that the planet is currently on track for at least 3-4°C of warming by 2100. The “known knowns” of higher levels of warming—say, 3°C—are frightening. At that 3°C of warming, for example, scientists project that there will be a nearly 70 percent decline in wheat production in Central America and the Caribbean, 75 percent of the land area in the Middle East and more than 50 percent in South Asia will be affected by highly unusual heat, and sea level rise could displace and imperil the lives hundreds of millions of people, among other consequences.

### 1NC

#### New, un-disclosed affs are a voting issue –

#### Testing – they make it impossible to adequately test the aff without adequate pre-round prep – favors newness over engagement – disclosure solves their offense – you can break new affs, you just have to disclose the plan text personally or disclose it on the wiki before round

#### Negative ground – they make negative ground concessionary to the goodwill of the aff and results in extremist generics that heavily skew ground in favor of the aff

#### No RVIs:

#### 1. Logic- aff doesn’t win for proving they’re fair or educational

#### 2. Chilling effect- debaters won’t read legitimate theory for fear of losing to a prepped-out counter-interp- proliferates abuse

#### 3. Substantive education- RVIs force a collapse to theory which crowds-out substance

### 1NC-Underview

#### Reasonability – persuasive defense on theory means you ignore it – theory requires abandoning substance to set a norm, which means the benefit of that norm must outweigh voting on theory instead of substance.

#### They get theory but it’s not always DTD, dependent on context- 1ar time advantage- that was above, abuse is self-imposed b/c they could always better develop the shell in the 1ar, over-punishment- reading theory cancels out the abuse, and no reason short speech means drop the debater- just get more efficient, short shells already force 2n split

#### Reject presumption – presumption should flow neg because they disrupt the status quo and create a new social order, despite current stability

#### Reject permissibility – it would justify all events to be permissible like slavery and torture – you should reject that in an academic setting for high schoolers, and also because moral frameworks must abide by one’s intuitions

#### No butterfly effect – we would stop calculating at the point of disutility, empirics prove that governments can calcultue contextual events all the time, yes governments can allocate resources effecetively, because if we spent all of our time calculating small crises than that would be net worse for consequences because we’d ignore ongoing events

#### No self-fulfilling prophecy—we can focus on multiple things at one – how is rejoining NEW START with Russia and funding medicare mutually exclusive? The aff thinks that there’s only one person within the entire US government so they’re distracted all the time -- ??/

### 1NC-Framework

**The standard is maximizing expected well being**

#### Independently:

#### 1 – Extinction o/ws under any framework, even under moral uncertainty – infinite future generations

Pummer 15 — (Theron Pummer, Junior Research Fellow in Philosophy at St. Anne's College, University of Oxford, “Moral Agreement on Saving the World“, Practical Ethics University of Oxford, 5-18-2015, Available Online at http://blog.practicalethics.ox.ac.uk/2015/05/moral-agreement-on-saving-the-world/, accessed 7-2-2018, HKR-AM) \*\*we do not endorse ableist language=

There appears to be lot of disagreement in moral philosophy. Whether these many apparent disagreements are deep and irresolvable, I believe there is at least one thing it is reasonable to agree on right now, whatever general moral view we adopt: that it is very important to reduce the risk that all intelligent beings on this planet are eliminated by an enormous catastrophe, such as a nuclear war. How we might in fact try to reduce such existential risks is discussed elsewhere. My claim here is only that we – whether we’re consequentialists, deontologists, or virtue ethicists – should all agree that we should try to save the world. According to consequentialism, we should maximize the good, where this is taken to be the goodness, from an impartial perspective, of outcomes. Clearly one thing that makes an outcome good is that the people in it are doing well. There is little disagreement here. If the happiness or well-being of possible future people is just as important as that of people who already exist, and if they would have good lives, it is not hard to see how reducing existential risk is easily the most important thing in the whole world. This is for the familiar reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. There are so many possible future people that reducing existential risk is arguably the most important thing in the world, even if the well-being of these possible people were given only 0.001% as much weight as that of existing people. Even on a wholly person-affecting view – according to which there’s nothing (apart from effects on existing people) to be said in favor of creating happy people – the case for reducing existential risk is very strong. As noted in this seminal paper, this case is strengthened by the fact that there’s a good chance that many existing people will, with the aid of life-extension technology, live very long and very high quality lives. You might think what I have just argued applies to consequentialists only. There is a tendency to assume that, if an argument appeals to consequentialist considerations (the goodness of outcomes), it is irrelevant to non-consequentialists. But that is a huge mistake. Non-consequentialism is the view that there’s more that determines rightness than the goodness of consequences or outcomes; it is not the view that the latter don’t matter. Even John Rawls wrote, “All ethical doctrines worth our attention take consequences into account in judging rightness. One which did not would simply be irrational, crazy.” Minimally plausible versions of deontology and virtue ethics must be concerned in part with promoting the good, from an impartial point of view. They’d thus imply very strong reasons to reduce existential risk, at least when this doesn’t significantly involve doing harm to others or damaging one’s character. What’s even more surprising, perhaps, is that even if our own good (or that of those near and dear to us) has much greater weight than goodness from the impartial “point of view of the universe,” indeed even if the latter is entirely morally irrelevant, we may nonetheless have very strong reasons to reduce existential risk. Even egoism, the view that each agent should maximize her own good, might imply strong reasons to reduce existential risk. It will depend, among other things, on what one’s own good consists in. If well-being consisted in pleasure only, it is somewhat harder to argue that egoism would imply strong reasons to reduce existential risk – perhaps we could argue that one would maximize her expected hedonic well-being by funding life extension technology or by having herself cryogenically frozen at the time of her bodily death as well as giving money to reduce existential risk (so that there is a world for her to live in!). I am not sure, however, how strong the reasons to do this would be. But views which imply that, if I don’t care about other people, I have no or very little reason to help them are not even minimally plausible views (in addition to hedonistic egoism, I here have in mind views that imply that one has no reason to perform an act unless one actually desires to do that act). To be minimally plausible, egoism will need to be paired with a more sophisticated account of well-being. To see this, it is enough to consider, as Plato did, the possibility of a ring of invisibility – suppose that, while wearing it, Ayn could derive some pleasure by helping the poor, but instead could derive just a bit more by severely harming them. Hedonistic egoism would absurdly imply she should do the latter. To avoid this implication, egoists would need to build something like the meaningfulness of a life into well-being, in some robust way, where this would to a significant extent be a function of other-regarding concerns (see chapter 12 of this classic intro to ethics). But once these elements are included, we can (roughly, as above) argue that this sort of egoism will imply strong reasons to reduce existential risk. Add to all of this Samuel Scheffler’s recent intriguing arguments (quick podcast version available here) that most of what makes our lives go well would be undermined if there were no future generations of intelligent persons. On his view, my life would contain vastly less well-being if (say) a year after my death the world came to an end. So obviously if Scheffler were right I’d have very strong reason to reduce existential risk. We should also take into account moral uncertainty. What is it reasonable for one to do, when one is uncertain not (only) about the empirical facts, but also about the moral facts? I’ve just argued that there’s agreement among minimally plausible ethical views that we have strong reason to reduce existential risk – not only consequentialists, but also deontologists, virtue ethicists, and sophisticated egoists should agree. But even those (hedonistic egoists) who disagree should have a significant level of confidence that they are mistaken, and that one of the above views is correct. Even if they were 90% sure that their view is the correct one (and 10% sure that one of these other ones is correct), they would have pretty strong reason, from the standpoint of moral uncertainty, to reduce existential risk. Perhaps most disturbingly still, even if we are only 1% sure that the well-being of possible future people matters, it is at least arguable that, from the standpoint of moral uncertainty, reducing existential risk is the most important thing in the world. Again, this is largely for the reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. (For more on this and other related issues, see this excellent dissertation). Of course, it is uncertain whether these untold trillions would, in general, have good lives. It’s possible they’ll be miserable. It is enough for my claim that there is moral agreement in the relevant sense if, at least given certain empirical claims about what future lives would most likely be like, all minimally plausible moral views would converge on the conclusion that we should try to save the world. While there are some non-crazy views that place significantly greater moral weight on avoiding suffering than on promoting happiness, for reasons others have offered (and for independent reasons I won’t get into here unless requested to), they nonetheless seem to be fairly implausible views. And even if things did not go well for our ancestors, I am optimistic that they will overall go fantastically well for our descendants, if we allow them to. I suspect that most of us alive today – at least those of us not suffering from extreme illness or poverty – have lives that are well worth living, and that things will continue to improve. Derek Parfit, whose work has emphasized future generations as well as agreement in ethics, described our situation clearly and accurately: “We live during the hinge of history. Given the scientific and technological discoveries of the last two centuries, the world has never changed as fast. We shall soon have even greater powers to transform, not only our surroundings, but ourselves and our successors. If we act wisely in the next few centuries, humanity will survive its most dangerous and decisive period. Our descendants could, if necessary, go elsewhere, spreading through this galaxy…. Our descendants might, I believe, make the further future very good. But that good future may also depend in part on us. If our selfish recklessness ends human history, we would be acting very wrongly.” (From chapter 36 of On What Matters)

#### 2 – All other frameworks fail

Mack 4 [(Peter, MBBS, FRCS(Ed), FRCS (Glasg), PhD, MBA, MHlthEcon) “Utilitarian Ethics in Healthcare.” International Journal of the Computer, the Internet, and Management Vol. 12, No.3. 2004. Department of Surgery. Singapore General Hospital.] SJDI

Medicine is a costly science, but of greater concern to the health economist is that it is also a limitless art. Every medical advance created new needs that did not exist until the means of meeting them came into existence. Physicians are reputed to have an infinite capacity to do ever more things, and perform ever more expensive interventions for their patients so long as any of their patients’ health needs remain unfulfilled. The traditional stance of the physician is that each patient is an isolated universe. When confronted with a situation in which his duty involves a competition for scarce medications or treatments, he would plead the patient’s cause by all methods, short of deceit. However, when the physician’s decision involves more than just his own patient, or has some commitment to public health, other issues have to be considered. He then has to recognise that the unbridled advocacy of the patient may not square with what the economist perceives to be the most advantageous policy to society as a whole. Medical professionals characteristically deplore scarcities. Many of them are simply not prepared to modify their intransigent principle of unwavering duty to their patients’ individual interest. However, in decisions involving multiple patients, making available more medication, labour or expenses for one patient will mean leaving less for another. The physician is then compelled by his competing loyalties to enter into a decision mode of one versus many, where the underlying constraint is one of finiteness of the commodities. Although the medical treatment may be simple and inexpensive in many instances, there are situations such as in renal dialysis, where prioritisation of treatment poses a moral dilemma because some patients will be denied the treatment and perish. Ethics and economics share areas of overlap. They both deal with how people should behave, what policies the state should pursue and what obligations citizens owe to their governments. The centrality of the human person in both normative economics and normative ethics is pertinent to this discussion. Economics is the study of human action in the marketplace whereas ethics deals with the “rightness” or “wrongness” of human action in general. Both disciplines are rooted in human reason and human nature and the two disciplines intersect at the human person and the analysis of human action. From the economist’s perspective, ethics is identified with the investigation of rationally justifiable bases for resolving conflict among persons with divergent aims and who share a common world. Because of the scarcity of resources, one’s success is another person’s failure. Therefore ethics search for rationally justifiable standards for the resolution of interpersonal conflict. While the realities of human life have given rise to the concepts of property, justice and scarcity, the management of scarcity requires the exercise of choice, since having more of some goods means having less of others. Exercising choice in turn involves comparisons, and comparisons are based on principles. As ethicists, the meaning of these principles must be sought in the moral basis that implementing them would require. For instance, if the implementation of distributive justice in healthcare is founded on the basis of welfare-based principles, as opposed to say resource-based principles, it means that the health system is motivated by the idea that what is of primary moral importance is the level of welfare of the people. This means that all distributive questions should be settled according to which distribution maximises welfare. Utilitarianism is fundamentally welfarist in its philosophy. Application of the principle to healthcare requires a prior understanding of the welfarist theory as expounded by the economist. Conceptually, welfarist theory is built on four tenets: utility maximisation, consumer sovereignty, consequentialism and welfarism. Utility maximisation embodies the behavioural proposition that individuals choose rationally, but it does not address the morality of rational choice. Consumer sovereignty is the maxim that individuals are the best judge of their own welfare. Consequentialism holds that any action or choice must be judged exclusively in terms of outcomes. Welfarism is the proposition that the “goodness” of the resource allocation be judged solely on the welfare or utility levels in that situation. Taken together these four tenets require that a policy be judged solely in terms of the resulting utilities achieved by individuals as assessed by the individuals themselves. Issues of who receives the utility, the source of the utility and any non-utility aspects of the situation are ignored.

#### 3 - Non util ethics are impossible

Greene 10 – Joshua, Associate Professor of Social science in the Department of Psychology at Harvard University

(The Secret Joke of Kant’s Soul published in Moral Psychology: Historical and Contemporary Readings, accessed: www.fed.cuhk.edu.hk/~lchang/material/Evolutionary/Developmental/Greene-KantSoul.pdf)

**What turn-of-the-millennium science** **is telling us is that human moral judgment is not a pristine rational enterprise**, that our **moral judgments are driven by a hodgepodge of emotional dispositions, which themselves were shaped by a hodgepodge of evolutionary forces, both biological and cultural**. **Because of this, it is exceedingly unlikely that there is any rationally coherent normative moral theory that can accommodate our moral intuitions**. Moreover, **anyone who claims to have such a theory**, or even part of one, **almost certainly doesn't**. Instead, what that person probably has is a moral rationalization. It seems then, that we have somehow crossed the infamous "is"-"ought" divide. How did this happen? Didn't Hume (Hume, 1978) and Moore (Moore, 1966) warn us against trying to derive an "ought" from and "is?" How did we go from descriptive scientific theories concerning moral psychology to skepticism about a whole class of normative moral theories? The answer is that we did not, as Hume and Moore anticipated, attempt to derive an "ought" from and "is." That is, our method has been inductive rather than deductive. We have inferred on the basis of the available evidence that the phenomenon of rationalist deontological philosophy is best explained as a rationalization of evolved emotional intuition (Harman, 1977). Missing the Deontological Point I suspect that **rationalist deontologists will remain unmoved by the arguments presented here**. Instead, I suspect, **they** **will insist that I have simply misunderstood what** Kant and like-minded **deontologists are all about**. **Deontology, they will say, isn't about this intuition or that intuition**. It's not defined by its normative differences with consequentialism. **Rather, deontology is about taking humanity seriously**. Above all else, it's about respect for persons. It's about treating others as fellow rational creatures rather than as mere objects, about acting for reasons rational beings can share. And so on (Korsgaard, 1996a; Korsgaard, 1996b). **This is, no doubt, how many deontologists see deontology. But this insider's view**, as I've suggested, **may be misleading**. **The problem**, more specifically, **is that it defines deontology in terms of values that are not distinctively deontological**, though they may appear to be from the inside. **Consider the following analogy with religion. When one asks a religious person to explain the essence of his religion, one often gets an answer like this: "It's about love**, really. It's about looking out for other people, looking beyond oneself. It's about community, being part of something larger than oneself." **This sort of answer accurately captures the phenomenology of many people's religion, but it's nevertheless inadequate for distinguishing religion from other things**. This is because many, if not most, non-religious people aspire to love deeply, look out for other people, avoid self-absorption, have a sense of a community, and be connected to things larger than themselves. In other words, secular humanists and atheists can assent to most of what many religious people think religion is all about. From a secular humanist's point of view, in contrast, what's distinctive about religion is its commitment to the existence of supernatural entities as well as formal religious institutions and doctrines. And they're right. These things really do distinguish religious from non-religious practices, though they may appear to be secondary to many people operating from within a religious point of view. In the same way, I believe that most of **the standard deontological/Kantian self-characterizatons fail to distinguish deontology from other approaches to ethics**. (See also Kagan (Kagan, 1997, pp. 70-78.) on the difficulty of defining deontology.) It seems to me that **consequentialists**, as much as anyone else, **have respect for persons**, **are against treating people as mere objects,** **wish to act for reasons that rational creatures can share, etc**. **A consequentialist respects other persons, and refrains from treating them as mere objects, by counting every person's well-being in the decision-making process**. **Likewise, a consequentialist attempts to act according to reasons that rational creatures can share by acting according to principles that give equal weight to everyone's interests, i.e. that are impartial**. This is not to say that consequentialists and deontologists don't differ. They do. It's just that the real differences may not be what deontologists often take them to be. What, then, distinguishes deontology from other kinds of moral thought? A good strategy for answering this question is to start with concrete disagreements between deontologists and others (such as consequentialists) and then work backward in search of deeper principles. This is what I've attempted to do with the trolley and footbridge cases, and other instances in which deontologists and consequentialists disagree. **If you ask a deontologically-minded person why it's wrong to push someone in front of speeding trolley in order to save five others, you will get** characteristically deontological **answers**. Some **will be tautological**: **"Because it's murder!"** **Others will be more sophisticated: "The ends don't justify the means**." "You have to respect people's rights." **But**, as we know, **these answers don't really explain anything**, because **if you give the same people** (on different occasions) **the trolley case** or the loop case (See above), **they'll make the opposite judgment**, even though their initial explanation concerning the footbridge case applies equally well to one or both of these cases. **Talk about rights, respect for persons, and reasons we can share are natural attempts to explain, in "cognitive" terms, what we feel when we find ourselves having emotionally driven intuitions that are odds with the cold calculus of consequentialism**. Although these explanations are inevitably incomplete, **there seems to be "something deeply right" about them because they give voice to powerful moral emotions**. **But, as with many religious people's accounts of what's essential to religion, they don't really explain what's distinctive about the philosophy in question**.

#### 4 - That justifies util it’s impartial, specific to public actors, and resolves infinite regress which explains all value. Reject flawed calc indicts that misunderstand happiness and rely on problematic intuitions.

Greene 15 — (Joshua Greene, Professor of Psychology @ Harvard, being interviewed by Russ Roberts, “Joshua Greene on Moral Tribes, Moral Dilemmas, and Utilitarianism”, The Library of Economics and Liberty, 1-5-15, Available Online at <https://www.econtalk.org/joshua-greene-on-moral-tribes-moral-dilemmas-and-utilitarianism/#audio-highlights>, accessed 5-17-20, HKR-AM) \*\*NB: Guest = Greene, and only his lines are highlighted/underlined

Guest: Okay. So, I think utilitarianism is very much misunderstood. And this is part of the reason why we shouldn't even call it utilitarianism at all. We should call it what I call 'deep pragmatism', which I think better captures what I think utilitarianism is really like, if you really apply it in real life, in light of an understanding of human nature. But, we can come back to that. The idea, going back to the tragedy of common-sense morality is you've got all these different tribes with all of these different values based on their different ways of life. What can they do to get along? And I think that the best answer that we have is--well, let's back up. In order to resolve any kind of tradeoff, you have to have some kind of common metric. You have to have some kind of common currency. And I think that what utilitarianism, whether it's the moral truth or not, is provide a kind of common currency. So, what is utilitarianism? It's basically the idea that--it's really two ideas put together. One is the idea of impartiality. That is, at least as social decision makers, we should regard everybody's interests as of equal worth. Everybody counts the same. And then you might say, 'Well, but okay, what does it mean to count everybody the same? What is it that really matters for you and for me and for everybody else?' And there the utilitarian's answer is what is sometimes called, somewhat accurately and somewhat misleadingly, happiness. But it's not really happiness in the sense of cherries on sundaes, things that make you smile. It's really the quality of conscious experience. So, the idea is that if you start with anything that you value, and say, 'Why do you care about that?' and keep asking, 'Why do you care about that?' or 'Why do you care about that?' you ultimately come down to the quality of someone's conscious experience. So if I were to say, 'Why did you go to work today?' you'd say, 'Well, I need to make money; and I also enjoy my work.' 'Well, what do you need your money for?' 'Well, I need to have a place to live; it costs money.' 'Well, why can't you just live outside?' 'Well, I need a place to sleep; it's cold at night.' 'Well, what's wrong with being cold?' 'Well, it's uncomfortable.' 'What's wrong with being uncomfortable?' 'It's just bad.' Right? At some point if you keep asking why, why, why, it's going to come down to the conscious experience--in Bentham's terms, again somewhat misleading, the pleasure and pain of either you or somebody else that you care about. So the utilitarian idea is to say, Okay, we all have our pleasures and pains, and as a moral philosophy we should all count equally. And so a good standard for resolving public disagreements is to say we should go with whatever option is going to produce the best overall experience for the people who are affected. Which you can think of as shorthand as maximizing happiness--although I think that that's somewhat misleading. And the solution has a lot of merit to it. But it also has endured a couple of centuries of legitimate criticism. And one of the biggest criticisms--and now we're getting back to the Trolley cases, is that utilitarianism doesn't adequately account for people's rights. So, take the footbridge case. It seems that it's wrong to push that guy off the footbridge. Even if you stipulate that you can save more people's lives. And so anyone who is going to defend utilitarianism as a meta-morality--that is, a solution to the tragedy of common sense morality, as a moral system to adjudicate among competing tribal moral systems--if you are going to defend it in that way, as I do, you have to face up to these philosophical challenges: is it okay to kill on person to save five people in this kind of situation? So I spend a lot of the book trying to understand the psychology of cases like the footbridge case. And you mention these being kind of unrealistic and weir

d cases. That's actually part of my defense.

Russ: Yeah, there's some plus to it, I agree.

Guest: Right. And the idea is that your amygdala is responding to an act of violence. And most acts of violence are bad. And so it is good for us to have a gut reaction, which is really a reaction in your amygdala that's then sending a signal to your ventromedial prefrontal cortex and so on and so forth, and we can talk about that. It's good to have that reaction that says, 'Don't push people off of footbridges.' But if you construct a case in which you stipulate that committing this act of violence is going to lead to the greater good, and it still feels wrong, I think it's a mistake to interpret that gut reaction as a challenge to the theory that says we should do whatever in general is going to promote the greater good. That is, our gut reactions are somewhat limited. They are good for everyday life. It's good that you have a gut reaction that says, 'Don't go shoving people off of high places.' But that shouldn't be a veto against a general idea that otherwise makes a lot of sense. Which is that in the modern world, we have a lot of different competing value systems, and that the way to resolve disagreements among those different competing value systems is to say, 'What's going to actually produce the best consequences?' And best consequences measured in terms of the quality of people's experience. So, that's kind of completing or partially completing the circle between the tragedy of the commons, that discussion, and how do we get to the Trolleys.

#### On their framework

#### 1] Arguments for deontology are self-defeating.

Mihailov 15 [Emilian Mihailov, Romanian Academy, Iasi Branch. “The Argument from Self-Defeating Beliefs Against Deontology.” Ethical Perspectives 22, no. 4 (2015): 573-600. Centre for Ethics, KU Leuven. doi: 10.2143/EP.22.4.3127268]

There is an increasing tendency to use empirical data to rail against philosophical ethics (Haidt 2001, Doris 2002). Recently, Joshua Greene has launched “an all-out assault on deontological philosophy”, as Mark Timmons puts it (2008). Greene claims that evidence from neuroimaging and experimental psychology indicates that “[...] deontological patterns of moral judgment are driven by emotional responses while consequentialist judgments are driven by ‘cognitive’ processes” (2008, 59). One of his most challenging arguments is that deontological judgements should be discarded because they track morally irrelevant features.1 When Greene says that emotional reactions reflect the influence of morally irrelevant factors, he assumes that emotions are morally irrelevant (2008, 70).

However, Selim Berker (2009) has shown that empirical data does not work against moral theory. Even if we accept that deontological intuitions are emotionally-driven, whereas consequentialist intuitions are more cognitive, it does not follow that consequentialism is superior. Obtaining data is a descriptive task that does not reflect relevant moral features. For this we need a substantive normative intuition or principle. Only in conjunction with a normative standard can empirical data pin-point irrelevant features. As Frances Kamm explains, “[...] all the normative work is being done by a moral theory about what factors make acts right (e.g. impersonal versus personal factors) and also a theory about what factors a deontologist as opposed to a consequentialist thinks are morally relevant, not by neuroscience” (2009, 303).

Berker and Kamm are right to point out that we need an independent normative idea to interpret neuroscientific data, but there is another argument suggested by Greene’s work that avoids the requirement to prove the irrelevance of emotional reactions. Greene writes that deontologists “[...] can’t say that our emotional responses are the basis for the moral truth, however, because they are rationalists” (2008, 69). Here we have an additional meta-ethical assumption about what qualifies as a proper justification, which points to an interesting relationship between explanation and justification. If we can show that a set of beliefs is formed by an epistemically unreliable psychological process, then we can undercut the justificatory status of that set of beliefs. Deontologists believe, according to Greene, that emotional processes cannot be a justifying basis. Thus, if deontologists believe that emotional processes should not be the source of their specific judgements, then empirical research can show that their belief is self-defeating by discovering that emotions are systematically the source of deontological judgments. I will call this the argument from self-defeating beliefs because its upshot is to reveal a psychological basis of deontological judgments which is distrusted by deontologists.2

It should be noted that the scope of this argument is thus limited. It can only show that rational deontology is self-defeating, not that emo-tions are irrelevant in general or that other types of deontology are not reliable, such as a sentimentalist deontology.3 While Greene speaks as if he intends to undermine deontological philosophy in general4, he some-times admits that his target is, in fact, rational deontology: “I believe that one can make a pretty good case against rationalist versions of deontology such as Kant’s” (2008, 68).5

### 1NC-Case

#### WTO already did the AFF – Doha Declaration nullifies medical patents for developing countries struggling with pricing

World Trade Organization 17 (World Trade Organization, “WTO IP rules amended to ease poor countries’ access to affordable medicines”, <https://www.wto.org/english/news_e/news17_e/trip_23jan17_e.htm>, 23 January 2017, EmmieeM)

An amendment to the agreement on intellectual property entered into force today (23 January) securing for developing countries a legal pathway to access affordable medicines under WTO rules.

The amendment to the WTO Trade Related Aspects of Intellectual Property Rights (TRIPS) Agreement marks the first time since the organization opened its doors in 1995 that WTO accords have been amended.

The WTO Secretariat has received in recent days notifications from five members that they have ratified the protocol amending the WTO TRIPS Agreement. These notifications — from Burkina Faso, Nigeria, Liechtenstein, the United Arab Emirates and Viet Nam — brought to two-thirds the number of WTO members which have now ratified the amendment. The two-thirds threshold was needed to formally bring the amendment into the TRIPS Agreement.

Members took the decision to amend the TRIPS Agreement specifically to adapt the rules of the global trading system to the public health needs of people in poor countries. This action follows repeated calls from the multilateral system for acceptance of the amendment, most recently by the United Nations General Assembly High-Level Meeting on Ending AIDS in June 2016.

“This is an extremely important amendment. It gives legal certainty that generic medicines can be exported at reasonable prices to satisfy the needs of countries with no pharmaceutical production capacity, or those with limited capacity. By doing so, it helps the most vulnerable access the drugs that meet their needs, helping to deal with diseases such as HIV/AIDS, tuberculosis or malaria, as well as other epidemics. I am delighted that WTO members have now followed through on their commitment and brought this important measure into force,” said WTO Director-General Roberto Azevêdo. In video statements available here, some of the key players share their thoughts on the TRIPS amendment.

Unanimously adopted by WTO members in 2005, the protocol amending the TRIPS Agreement makes permanent a mechanism to ease poorer WTO members’ access to affordable generic medicines produced in other countries. The amendment empowers importing developing and least-developed countries facing public health problems and lacking the capacity to produce drugs generically to seek such medicines from third country producers under "compulsory licensing" arrangements. Normally, most medicines produced under compulsory licences can only be provided to the domestic market in the country where they are produced. This amendment allows exporting countries to grant compulsory licences to generic suppliers exclusively for the purpose of manufacturing and exporting needed medicines to countries lacking production capacity.

“As important as trade policy is, health and well-being must take precedence,” said Amina Mohamed, Kenya’s Foreign Minister who chaired the WTO General Council at the time when the amendment was approved in December 2005. “WTO members recognise this and have proven how seriously they take health issues by ratifying and putting into force an amendment to WTO rules which will facilitate access to essential medicines in low income countries.”

The amendment provides a secure and sustained legal basis for both potential exporters and importers to adopt legislation and establish the means needed to allow countries with limited or no production capacity to import affordable generics from countries where pharmaceuticals are patented. More and more WTO members are taking practical steps to implement the system in their laws. The bulk of global medicine exports is covered by laws enabling exports under this system, opening up new options for potential beneficiaries to access a wider range of potential suppliers and enabling new, innovative procurement strategies.

#### 1. Non-contradiction: nobody would create without IP. Van Dyke 18

Raymond Van Dyke (Technology and Intellectual Property Attorney, Patent Practitioner, Van Dyke Intellectual Property Law), 7-17-2018, "The Categorical Imperative for Innovation and Patenting," IPWatchdog, [https://www.ipwatchdog.com/2018/07/17/categorical-imperative-innovation-patenting/id=99178/](about:blank)

As we shall see, applying Kantian logic entails first acknowledging some basic principles; that the people have a right to express themselves, that that expression (the fruits of their labor) has value and is theirs (unless consent is given otherwise), and that government is obligated to protect people and their property. Thus, an inventor or creator has a right in their own creation, which cannot be taken from them without their consent. So, employing this canon, a proposed Categorical Imperative (CI) is the following Statement: creators should be protected against the unlawful taking of their creation by others. Applying this Statement to everyone, i.e., does the Statement hold water if everyone does this, leads to a yes determination. Whether a child, a book or a prototype, creations of all sorts should be protected, and this CI stands. This result also dovetails with the purpose of government: to protect the people and their possessions by providing laws to that effect, whether for the protection of tangible or intangible things. However, a contrary proposal can be postulated: everyone should be able to use the creations of another without charge. Can this Statement rise to the level of a CI? This proposal, upon analysis would also lead to chaos. Hollywood, for example, unable to protect their films, television shows or any content, would either be out of business or have robust encryption and other trade secret protections, which would seriously undermine content distribution and consumer enjoyment. Likewise, inventors, unable to license or sell their innovations or make any money to cover R&D, would not bother to invent or also resort to strong trade secret. Why even create? This approach thus undermines and greatly hinders the distribution of ideas in a free society, which is contrary to the paradigm of the U.S. patent and copyright systems, which promotes dissemination. By allowing freeriding, innovation and creativity would be thwarted (or at least not encouraged) and trade secret protection would become the mainstay for society with the heightened distrust.

#### 2. Kant justifies a fundamental right to property. Merges 11

Robert Merges, (Wilson Sonsini Goodrich & Rosati Professor of Law and Technology, University of California, Berkeley, School of Law) “Justifying Intellectual Property,” Harvard University Press, 2011. https://www.hup.harvard.edu/catalog.php?isbn=9780674049482

Kant believed that any object onto which a person projects his or her will may come to be owned. Kant seemed to consider ownership as a primitive concept whose roots run very deep in human consciousness. This is evident from the language he uses. The origin of property, he says, is in a deep and abiding sense of “Mine and Yours.” “That is rightfully mine,” he writes, “if I am so bound to it that anyone who uses it without my consent would thereby injure me.”15

But what is the point of this? Why do people want to be bound to things? In essence, Kant says, to expand their range of freedom— their autonomy.16 People have a desire to carry out projects in the world. Sometimes, those projects require access to and control over external objects. The genesis of property is the desire of an individual to carry out personal projects in the world, for which various objects are necessary. For Kant, this desire must be given its broadest scope, to promote the widest range of human choice, and therefore human projects. Kant accordingly refuses to accept any binding legal rule that makes some objects strictly unownable, because the rationale for such a rule would conflict with the basic need for maximal freedom of action. Freedom to appropriate is so basic, so tied to matters of individual will and personal choice, that Kant finds it unthinkable to rule out large categories of things from the domain of the potentially ownable. As Kant scholar Paul Guyer says, for Kant, “The fundamental principle of morality dictates the protection of the external use of freedom or freedom of action, as a necessary expression of freedom of choice and thus as part of autonomy as a whole. . . .”17 This captures it in a nutshell: freedom of action, including the right to possess, as a necessary expression of freedom of choice, or autonomy.

#### 3. IP is property. Shultz 14

Mark Schultz (Chair in Intellectual Property Law and the Director of the Intellectual Property and Technology Law Program at the University of Akron School of Law and co-founder and a leader of the Center for Intellectual Property x Innovation Policy at George Mason University) “A free market perspective on intellectual property rights,” American Enterprise Institute, 2/23/2014. https://www.aei.org/technology-and-innovation/intellectual-property/free-market-perspective-intellectual-property-rights/

Point 1.Intellectual property secures the same values as physical property

As an institution, property secures rights in what we create through our work. In this regard, there’s no cause or need to distinguish intellectual property from any other forms of property. In all cases, a person employs his intellect and talents to impose his plan and will on his environment to bring something new into the world. This is the essence of productive labor, the fruits of which property protects.

Distinguishing between physical and intellectual labor, as some would, is misguided, because both are, at heart, the same activity. Whether it is a carpenter building a house, a farmer planting a field, an author writing a book, a director filming a movie, or an inventor developing a new drug, the activity is, ultimately, productive labor.