**The role of the ballot is to vote for the debater who best proves the truth or falsity of the Resolution; the affirmative must prove it true and the negative must prove it false. Prefer:**

**A) Text: Five dictionaries define negate as to deny the truth of and affirm as to prove true which means the sole judge obligation is to vote on the resolution’s truth or falsity. Constitutivism outweighs because you don’t have the jurisdiction not to truth test. Jurisdiction is a meta constraint since every argument you make concedes the authority of the judge fulfilling their jurisdiction to vote aff if they affirm better and neg the contrary**

**B) Logic: Any counter role of the ballot collapses to truth testing because every property assumes truth of the property i.e. if I say, “I am awake” it is the same as “it is true that I am awake” which means they are also a question of truth claims because it’s inherent.**

**C) Ground: Any offense can function under truth testing whereas your specific role of the ballot excludes all strategies but yours. This is bad for education because me engaging in a debate I know nothing about doesn’t help anyone.**

**D) Truth Testing is a prerequisite to other role of the ballots because without truth we’re operating off of lies which is what fuels propaganda and oppression.**

1 <http://dictionary.reference.com/browse/negate>, <http://www.merriam-webster.com/dictionary/negate>, <http://www.thefreedictionary.com/negate>, <http://www.vocabulary.com/dictionary/negate>, <http://www.oxforddictionaries.com/definition/english/negate>

*2 Dictionary.com – maintain as true, Merriam Webster – to say that something is true, Vocabulary.com – to affirm something is to confirm that it is true, Oxford dictionaries – accept the validity of, Thefreedictionary – assert to be true*

**People own their own bodies and as a result have rights to use their bodies.**

**Feser,** Edward. "Robert Nozick." *Internet Encyclopedia of Philosophy*, iep.utm.edu/nozick/. Accessed 12 June 2021. ICW NW

Nozick takes his position to follow from a basic moral principle associated with Immanuel Kant and enshrined in Kant’s second formulation of his famous Categorical Imperative: “Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only.” The idea here is that **a human being, as a rational agent endowed with self-awareness, free will, and the possibility of formulating a plan of life, has an inherent dignity and cannot** properly **be treated as a mere *thing*, or *used* against his will** as an instrument or resource in the way an inanimate object might be. In line with this, Nozick also describes individual human beings as *self-owners* (though it isn’t clear whether he regards this as a restatement of Kant’s principle, a consequence of it, or an entirely independent idea). The thesis of self-ownership, a notion that goes back in political philosophy at least to John Locke, is just the claim that **individuals own themselves – their bodies, talents and abilities, labor, and by extension the** fruits or **products of their exercise of their talents, abilities and labor.** They have all the prerogatives with respect to themselves that a slaveholder claims with respect to his slaves. But the thesis of self-ownership would in fact rule out slavery as illegitimate, since each individual, as a self-owner, cannot properly be owned by anyone else. (Indeed, many libertarians would argue that unless one accepts the thesis of self-ownership, one has no way of explaining *why* slavery is evil. After all, it cannot be merely because slaveholders often treat their slaves badly, since a kind-hearted slaveholder would still be a slaveholder, and thus morally blameworthy, for that. The reason slavery is immoral must be because it involves a kind of stealing – the stealing of a person from himself.) But **if individuals are inviolable ends-in-themselves** (as Kant describes them) **and self-owners, it follows**, Nozick says, **that they have certain *rights*, in particular** (and here again following Locke) **rights to their lives, liberty, and the fruits of their labor. To own something,** after all, just **is to have a right to it,** or, more accurately, to possess the bundle of rights – **rights to possess something, to dispose of it, to determine what may be done with it,** etc. – that constitute ownership; and **thus to own oneself is to have such rights to the various elements that make up one’s self. These rights function, Nozick says, as *side-constraints* on the actions of others; they set limits on how others may, morally speaking, treat a person.** So, for example, **since you** own yourself, and thus **have a right to yourself, others are constrained morally not to kill or maim you** (since this would involve destroying or damaging your property), or to kidnap you or forcibly remove one of your bodily organs for transplantation in someone else (since this would involve stealing your property). They are also constrained not to force you against your will to work for another’s purposes, even if those purposes are good ones. For **if you own yourself, it follows that you have a right to determine whether and how you will use your self-owned body and its powers,** e.g. either to work or to refrain from working.

**Thus, the state ought not interfere with people since that would violate their rights.**

**Feser 2,** Edward. "Robert Nozick." *Internet Encyclopedia of Philosophy*, iep.utm.edu/nozick/. Accessed 12 June 2021.

So far this all might seem fairly uncontroversial. But what follows from it, in Nozick’s view, is the surprising and radical conclusion that ***taxation*,** of the redistributive sort in which modern states engage in order to fund the various programs of the bureaucratic welfare state, **is morally illegitimate. It amounts to a kind of *forced labor*, for the state so structures the tax system that any time you labor at all, a certain amount of your labor time – the amount that produces the wealth taken away from you forcibly via taxation – is time you involuntarily work, in effect, for the state.** Indeed, such taxation amounts to partial *slavery*, for in giving every citizen an entitlement to certain benefits (welfare, social security, or whatever), the state in effect gives them an entitlement, a *right*, to a part of the proceeds of your labor, which produces the taxes that fund the benefits; every citizen, that is, becomes in such a system *a partial owner of you* (since they have a partial property right in part of you, i.e. in your labor). But **this is** flatly **inconsistent with the principle of self-ownership.**

The various programs of the modern liberal welfare state are thus immoral, not only because they are inefficient and incompetently administered, but because they make slaves of the citizens of such a state. Indeed, **the only sort of state that can be morally justified is** what Nozick calls **a *minimal state***or “night-watchman” state, **a government which protects individuals**, via police and military forces, **from force, fraud, and theft, and administers courts of law, but does nothing else.** In particular, **such a state cannot regulate what citizens eat, drink, or smoke** (**since this would interfere with their right to use their self-owned bodies as they see fit), cannot control what they publish or read** (since this would interfere with their right to use the property they’ve acquired with their self-owned labor – e.g. printing presses and paper – as they wish), cannot administer mandatory social insurance schemes or public education (since this would interfere with citizens’ rights to use the fruits of their labor as they desire, in that some citizens might decide that they would rather put their money into private education and private retirement plans), and cannot regulate economic life in general via minimum wage and rent control laws and the like (since such actions are not only economically suspect – tending to produce bad unintended consequences like unemployment and housing shortages – but violate citizens’ rights to charge whatever they want to for the use of their own property).

**Thus, the standard is consistency with libertarianism. This is the idea that the only moral state is one that protects people’s rights but is *never* morally justified in coercing its citizens.**

**Prefer:**

**1. People ought never be used as a means to an end because they are unconditionally valuable, given that they can place value on other things.**

**Korsgaard 83** (Christine Korsgaard, [Christine Marion Korsgaard is an American [philosopher](https://en.wikipedia.org/wiki/Philosopher) and Arthur Kingsley Porter Professor of Philosophy at Harvard University whose main scholarly interests are in moral philosophy and its history; the relation of issues in moral philosophy to issues in metaphysics, the philosophy of mind, and the theory of personal identity; the theory of personal relationships; and in normativity in general], “Two Distinctions in Goodness,” The Philosophical Review Vol. 92, No. 2 (Apr., 1983), pp. 169-195, JSTOR) BHHS AK recut // ICW NW

The argument shows how Kant's idea of justification works. It can be read as a kind of regress upon the conditions, starting from an important assumption. The assumption is that when a rational being makes a choice or undertakes an action, [they] he or she supposes the object to be good, and its pursuit to be justified. At least, if there is a categorical imperative **there must be objectively good ends,** for then there are necessary actions and so necessary ends (G 45-46/427-428 and Doctrine of Virtue 43-44/384-385). **In order for there to be any objectively good ends,** however, **there must be something that is unconditionally good and so can serve as a sufficient condition of their goodness.** Kant considers what this might be: **it cannot be an object of inclination, for those have only a conditional worth, "for if the inclinations and the needs founded on them did not exist, their object would be without worth"** (G 46/428). It cannot be the inclinations themselves because a rational being would rather be free from them. Nor can it be external things, which serve only as means. So, Kant asserts, **the unconditionally valuable thing must be "humanity"** or "rational nature," which he defines as "the power set to an end" (G 56/437 and DV 51/392). Kant explains that regarding your existence as a rational being as an end in itself is a "subjective principle of human action." By this I understand him to mean that **we must regard ourselves as capable of conferring value upon the objects of our choice, the ends that we set, because we must regard our ends as good.** But since "every other rational being thinks of his existence by the same rational ground which holds also for myself' (G 47/429), **we must regard others as capable of conferring value by reason of their rational choices and so also as ends in themselves.** Treating another as an end in itself thus involves making that person's ends as far as possible your own (G 49/430). The ends that are chosen by any rational being, possessed of the humanity or rational nature that is fully realized in a good will, take on the status of [are] objective goods. They are not intrinsically valuable, but they are objectively valuable in the sense that every rational being has a reason to promote or realize them.

**2. Contesting my framework concedes the validity of freedom because you have to use your freedom to contest the value of freedom.**

**3. A-Spec: Without a government we exist in a state of nature where anyone can do whatever they want. This is not ideal so people form a government, and in doing so give up their positive right to do whatever they want but gain negative rights to not have others violate their freedom. Thus, the government's only job is to protect negative rights, not promote positive rights. And if it prioritizes positive rights the people can just abolish the government and go to a state of nature where they have all the positive rights they want.**

**4. Freedom is a prerequisite to the use of other frameworks. This means I hijack ev**

**5. Culpability: If people didn’t freely will an action they can’t be said to be responsible for it because they couldn’t have done otherwise. I.e. if I’m forced to slap a person, no one would say I’m culpable because I had no choice in the matter. This means ethics can’t exist without freedom because we wouldn’t be able to assign agents culpability.**

**6. TJFs: Every framework is just a T interpretation of the word ought which means they have to be theoretically legitimate. Libertarianism is the best framework:**

**a) Topic Lit: There’s super good libertarianism topic lit on this topic because it's about property rights. E.g. Ayn Rand, Nozick, my authors, Locke, etc. all write about intellectual property. This means we can learn about philosophical nuance and outweighs because its specific to this topic.**

**b) Burden Structure: My framework sets up the most reciprocal structure for the round. The aff must prove intellectual property protections don’t exist the neg has to win that they do exist. This is a 1:1 burden, and lets us discuss nuances of how rights works. Anything else allows the neg to infinitely uplayer with pics etc.**

**Consequences Fail**

**1. We can’t predict the future which means we can’t predict the consequences of an action since things can happen during our actions that cause a completely different consequence.**

**2. Normativity: If people are held responsible for things they didn’t intend it means they have no control over their actions being immoral. This outweighs because people will give up on morality if they’re blamed for things they didn’t do.**

**3. Calculation freezes action: We have to calculate the results of every action yet calculation is itself an action, which means once we calculate we just keeping adding actions to calculate, and just spend our entire life calculating.**

**4. Trust Paradox: Consequentialism obligates changes in actions on a case by case basis which means every action is subject to calculation and thus people act sporadically, meaning we can’t predict what others will do. But consequentialism necessitates that we can make predictions which means it’s paradoxical and impossible to use.**

**I defend the whole resolution, I’ll clarify anything about my advocacy in cross.**

**My enforcement mechanism is the WTO and member nations waive current protections.**

**Contention 1)Intellectual property rights don’t exist and enforcement of them is coercive.**

**Libertarianism.org**. "Libertarian Views on Intellectual Property: Roghbard, Tucker, Spooner, and Rand." *Libertarianism.org*, 28 Mar. 20**14**, [www.libertarianism.org/columns/libertarian-views-intellectual-property-rothbard-tucker-spooner-rand](http://www.libertarianism.org/columns/libertarian-views-intellectual-property-rothbard-tucker-spooner-rand). Accessed 19 Aug. 2021.

Rothbard defended a contract theory of copyright, the idea that if an author properly conditions the sale of her work on the purchaser’s agreement “not to recopy or reproduce this work for sale,” then the resulting copyright protections would be completely legitimate on libertarian grounds. After all, libertarians recognize the enforceability of legal contracts as an implication of the idea that we can and should be bound by agreements that we have entered into freely, where there has been no coercive interference in our relations with one another. In *The Ethics of Liberty* (published first in 1982), Rothbard applies this contract rationale not only to copyrights, but also to patents, urging that the inventor of a mousetrap, for example, may successfully prohibit others from selling an identical mousetrap to the extent that the inventor retains a piece of “the property right in each mousetrap.” Rothbard contended that, as a practical matter, libertarian principles must entail the ability to limit purchasers’ rights regarding a work or invention, and thus to similarly limit all others’ rights—even when these others are not parties to the original contract. “[N]o one,” Rothbard argued, “can acquire a *greater* property title in something that has already been given away or sold.” According to this account, then, if the original purchaser’s rights had been limited by his agreement with the inventor, then so too would be those of every latecomer. While Rothbard applied his copyright‐​by‐​contract theory likewise to patents, he distinguished these two forms of intellectual property. In *Man, Economy, and State*, Rothbard qualifies the protection offered to patents, claiming that **patents are invalid and “incompatible with the free market” insofar as they attempt to go beyond copyright**—that is, provide protections beyond those of the original contract. For Rothbard, this kind of unqualified patent was incompatible with the principles of the free market because **it outlawed practices which were not theft** (either explicitly or implicitly). **If another inventor “arrives at the same invention independently,” Rothbard writes, he “will, on the free market, be perfectly able to use and sell his invention.”** Given that his apologies for intellectual property rights ground them firmly in contract theory as opposed to some other separate basis, even Rothbard’s defenses represent a challenge to standard *economic* arguments for intellectual property. Noting the popularity of the economic, utilitarian case for patents among economists, Rothbard pointed out the obvious practical problem with drawing the line, with developing the standard by which we calculate the “correct” level of expenditures on research and development. For individualist anarchist Benjamin Tucker**, intellectual property in all its forms was simply protectionist economic privilege, adverse to legitimate individual rights and designed for no higher purpose than the insulation of the powerful against competition.** Believing that labor was the ultimate source of value, Tucker saw copyrights and patents as granting their holders the power to profit in excess of the amount to which their work equitably entitled them. As another way to separate price from cost, Tucker argued that intellectual property was instituted in the service of “usury,” a feature of the capitalistic system which, he contended, full competition would eliminate. Whether ideas could or should be the subject of property was debated spiritedly within the pages of *Liberty* from the journal’s start. Writing on the subject in an 1888 issue of *Liberty*, Tucker quoted Henry George, who wrote, **“Discovery can give no right of ownership.… The natural reward of labor expended in discovery is in the use that can be made of the discovery without interference with the right of anyone else to use it.”** Tucker agreed with George that “patent laws endeavor to add an artificial reward” to discovery that would “retard, if not put a stop to, further inventions,” rather than incentivizing them. Tucker, however, went further than his frequent foil Henry George in opposing not only patent, but also copyright, contending that George mistakenly categorized the work of an author as “the work of production.” Unlike the work of production, which George argued granted an ownership right, the words of an author, even though assembled in a unique combination, also “existed potentially before he came,” just like an invention. Tucker thus regarded the “original work of the author … in thinking or composing” as a perfect analogy to the inventor’s work—with the reproduction of an author’s work being the correct analogy to the production of, for example, new wheelbarrows. Neither were entitled to special protection, but were rightly protectable only insofar as they might be by free agreement, boycott and other strictly voluntary, free market means. Only concrete, physical things were appropriable and, consequently, subject to individual ownership. To Tucker, the “laws and facts of Nature” were a form of “natural wealth” to be left free and open to all. Attempts to fence them in through the artifice of legislation were not a proper element of market competition, but were an invidious form of monopoly—indeed, one the “four of principal importance” which Tucker pinpointed for special criticism.

**Contention 2) Intellectual property rights don’t exist because you can’t have a right to the ideas in other people’s heads, or their replications.**

**Long**, Roderick. "The Libertarian Case against Intellectual Property Rights." *Free Nation*, 19**95**, freenation.org/a/f31l1.html. Accessed 5 Sept. 2021.

A Dispute Among Libertarians The status of intellectual property rights (copyrights, patents, and the like) is an issue that has long divided libertarians. Such libertarian luminaries as Herbert Spencer, Lysander Spooner, and Ayn Rand have been strong supporters of intellectual property rights. Thomas Jefferson, on the other hand, was ambivalent on the issue, while radical libertarians like Benjamin Tucker in the last century and Tom Palmer in the present one have rejected intellectual property rights altogether. When libertarians of the first sort come across a purported intellectual property right, they see one more instance of an individual's rightful claim to the product of his labor. When libertarians of the second sort come across a purported intellectual property right, they see one more instance of undeserved monopoly privilege granted by government. I used to be in the first group. Now I am in the second. I'd like to explain why I think intellectual property rights are unjustified, and how the legitimate ends currently sought through the expedient of intellectual property rights might be secured by other, voluntary means. [(to outline)](http://freenation.org/a/f31l1.html#outline)   [(to top of page)](http://freenation.org/a/f31l1.html#top) The Historical Argument Intellectual property rights have a tainted past. **Originally,** both **patents and copyrights were grants of monopoly privilege** pure and simple. A printing house might be assigned a "copyright" by royal mandate, meaning that only it was allowed to print books or newspapers in a certain district; there was no presumption that copyright originated with the author. Likewise, **those with political pull might be assigned a "patent," *i.e.*, an exclusive monopoly, over some commodity,** regardless of whether they had had anything to do with inventing it. Intellectual property rights had their origin in governmental privilege and governmental protectionism, not in any zeal to protect the rights of creators to the fruits of their efforts. And the abolition of patents was one of the rallying cries of the 17th-century Levellers (arguably the first libertarians). Now this by itself does not prove that there is anything wrong with intellectual property rights as we know them today. An unsavory past is not a decisive argument against any phenomenon; many worthwhile and valuable things arose from suspect beginnings. (Nietzsche once remarked that there is nothing so marvelous that its past will bear much looking into.) But the fact that intellectual property rights originated in state oppression should at least make us pause and be very cautious before embracing them. [(to outline)](http://freenation.org/a/f31l1.html#outline)   [(to top of page)](http://freenation.org/a/f31l1.html#top) The Ethical Argument Ethically, **property rights of any kind have to be justified as extensions of the right of individuals to control their own lives.** Thus **any alleged property rights that conflict with this moral basis — like the "right" to own slaves — are invalidated.** In my judgment, intellectual property rights also fail to pass this test. **To enforce copyright laws and the like is to prevent people from making peaceful use of the information they possess. If you have acquired the information legitimately** (say, by buying a book), **then on what grounds can you be prevented from using it, reproducing it, trading it? Is this not a violation of the freedom of speech and press?** It may be objected that the person who originated the information deserves ownership rights over it. But **information is not a concrete thing an individual can control; it is a *universal*, existing in other people's minds and other people's property,** and **over these the originator has no legitimate sovereignty.** You cannot own information without owning other people. **Suppose I write a poem, and you read it and memorize it. By memorizing it, you have in effect created a "software" duplicate of the poem to be stored in your brain. But clearly I can claim no rights over that copy so long as you remain a free and autonomous individual. That copy in your head is yours and no one else's**. But now **suppose you proceed to transcribe my poem, to make a "hard copy" of the information stored in your brain. The materials you use — pen and ink — are your own property. The information template which you used — that is, the stored memory of the poem — is also your own property.** So how can the hard copy you produce from these materials be anything but yours to publish, sell, adapt, or otherwise treat as you please? An item of intellectual property is a universal. Unless we are to believe in Platonic Forms, universals as such do not exist, except insofar as they are realized in their many particular instances. **Accordingly, I do not see how anyone can claim to own, say, the text of *Atlas Shrugged* unless that amounts to a claim to own every single physical copy of *Atlas Shrugged*. But the copy of *Atlas Shrugged* on my bookshelf does not belong to Ayn Rand or to her estate.** It belongs to me. I bought it. I paid for it. (Rand presumably got royalties from the sale, and I'm sure it wasn't sold without her permission!) The moral case against patents is even clearer. A patent is, in effect, a claim of ownership over a law of nature. What if Newton had claimed to own calculus, or the law of gravity? Would we have to pay a fee to his estate every time we used one of the principles he discovered?

**Underview**

**1.** **Presumption affirms. A) we presume things true until proven otherwise, I.e. you believed me when I said my name was Nate. B) It’s impossible to presume things false because then we presume that presumption is false but that also leads to a falsity, and it’s infinitely regressive.**

**2.** **Permissibility affirms, none of their arguments about the aff having to prove an obligation apply because my argument is permissible actions are obligatory A) it’s better for us to take okay actions than bad ones, and  B) Otherwise we would need a proactive justification to do things like drink water. C) If things aren’t prohibited by a framework it means they’re included under it, and thus good actions if the framework is good.**

**3.** **I get 1ar theory because otherwise the neg can be infinitely abusive which outweighs everything because that makes it impossible for the aff to win.**

**4.** **Paradigm Issues: Drop the debater a) to deter future abuse, b) if I prove abuse it means substance has already been skewed. No RVIs, a) debaters don’t win for just being fair or educational, b) it would encourage good theory debaters to be abusive so they can bait theory and win off an RVI. C) RVIS mean the neg could just sit on spikes for 6 minutes and auto win every round. Competing interps because a) reasonability is arbitrary and requires judge intervention b) it encourages getting as close to the brightline as possible.**

**5.** **Fairness is a voter because the ballot makes debate a game and without fairness you’re voting for the better cheater not the better debater.**

**6.** **No 2N theory because that allows the neg to just go for 6 minutes of new game over issues which is impossible for a 3 minute 2ar to deal with.**

**7.** **The negative must not contest the affirmative framework if the affirmative framework is libertarianism. Standard:**

**Time Skew: When the neg can just outframe the aff it moots the 6 minute AC since my aff links back to my framework creating a 7 to 13 timeskew.**

**8.** **Interpretation: The negative must defend the status quo. Standard:**

**Predictability:**

**9. Presumption and Permissibility should both affirm for fairness:**

**a)The aff reads the AC in the dark which means they don’t know which arguments will and will not be strategic. I.e. I could accidentally read a position that was too skeptical and autolose if permissibility negates.**

**b) The negative is reactive which means a) if they get presumption and permissibility they can just read seven minutes of permissibility arguments mooting the aff, and forcing me to answer seven minutes with four.**

**Generic negating harder arguments don’t apply because they don’t explain why presumption and permissibility rectify the specific side biases. å**