# 1NC

## 1

### ROJ

#### The role of the judge is to vote for the debater who wins the highest layer of the flow – anything else is self-serving, arbitrary, excludes a ton of arguments, and doesn’t promote weighing or engagement. Evaluate theory above any role of the judge because theory controls what substance is good and sets legit norms for debate which outweighs on magnitude.

#### Their ROB:

#### 1] ROJ comes first since it’s a q of what you as a judge should do rather than the ballot

#### 2] It’s completely arbitrary – none of this is specific to debate and doesn’t warrant why this should be the function \*of debate\*

#### 3] Turn – dominant epistemologies can only be challenged if we maintain the structure of debate, otherwise allows it to become an echo chamber where the majority just overpowers

### 1NC – T

#### Interpretation: Aff offense can only stem from the hypothetical implementation of the resolution.

#### This means that you should only vote affirmative if they prove that a world in which WTO member nations reduce IP protections for medicines is better than the status quo or a competitive alternative.

#### This does not require the use of any particular style, type of evidence, or assumption about the role of the ballot or judge – just that the topic should determine the debate’s subject matter: it was announced beforehand.

#### Reduce means to diminish in size

Michigan District Court 11 “SAGINAW OFFICE SERVICE, INC., Plaintiff, v. BANK OF AMERICA, N.A., Defendant. Civil Action No. 09-CV-13889 UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION,” Lexis

In determining whether the words "reduce" and "adjust" are ambiguous, the Court is directed to consider the ordinary meanings of the words, Rory, 703 N.W.2d at 28, and to harmonize [\*11] the disputed terms with other parts of the contract, Royal, 706 N.W.2d at 432 ("construction should be avoided that would render any part of the contract surplusage or nugatory"). "When determining the common, ordinary meaning of a word or phrase, consulting a dictionary is appropriate." Stanton v. City of Battle Creek, 466 Mich. 611, 647 N.W.2d 508 (Mich. 2002). The Court finds that the plain meanings of these terms do not unambiguously support the Bank's position. The dictionary definition of "adjust" is to "adapt" or "to bring to a more satisfactory state." Webster's Third New Int'l Dictionary 27 (2002) ("Webster's"). This is a fairly broad definition, which may be subject to, alternatively, narrower or more expansive scope. To say that the complete elimination of a schedule brings it to a more satisfactory state is undoubtedly an expansive viewof adjustment. It is the Court's duty to determine the intent of the contracting parties from the language of the contract itself, Rory, 703 N.W.2d at 30 ("the intent of the contracting parties is best discerned by the language actually used in the contract"), and in this case, it cannot unambiguously be said that the sense in which the parties used these [\*12] terms embraces the Bank's more expansive definition. Likewise, "reduce" means "to diminish in size, amount, extent, or number," Webster's, at 1905, but the term does not, in the context of the TSA, unambiguously embody an expansive scope that views complete deletion as a subset of diminution.

#### Medicine refers to a substance used in the treatment of disease

Merriam Webster ND [“Medicine.” Merriam-Webster.com Dictionary, Merriam-Webster, Accessed 27 Jun. 2021 [https://www.merriam-webster.com/dictionary/medicine.](https://www.merriam-webster.com/dictionary/medicine.%20)  Ww

Definition of medicine¶ 1a : a substance or preparation used in treating disease cough medicine¶ b : something that affects well-being he's bad medicine— Zane Grey¶ 2a : the science and art dealing with the maintenance of health and the prevention, alleviation, or cure of disease She's interested in a career in medicine.¶ b : the branch of medicine concerned with the nonsurgical treatment of disease¶ 3 : a substance (such as a drug or potion) used to treat something other than disease

#### Governments reduce intellectual property protections. Lindsey 6/3

Brink Lindsey, 6-3-2021, "Why intellectual property and pandemics don’t mix," Brookings, https://www.brookings.edu/blog/up-front/2021/06/03/why-intellectual-property-and-pandemics-dont-mix/

When we take the longer view, we can see a fundamental mismatch between the policy design of intellectual property protection and the policy requirements of effective pandemic response. Although patent law, properly restrained, constitutes one important element of a well-designed national innovation system, the way it goes about encouraging technological progress is singularly ill-suited to the emergency conditions of a pandemic or other public health crisis. Securing a TRIPS waiver for COVID-19 vaccines and treatments would thus establish a salutary precedent that, in emergencies of this kind, governments should employ other, more direct means to incentivize the development of new drugs.

#### CX proves the violation – their offense stems from their orientation towards debate and their method rather than specific impacts of debate. It was very very clear that the aff garners offense off their positionality towards subjectivity and fluidity

#### Limits - There are infinite non-topical AFFs that generates an unreasonable negative prep burden – a precise and predictable point of difference is key to effective dialogue. Steinberg and Freeley 13

Steinberg and Freeley 13, \* David, Lecturer in Communication studies and rhetoric. Advisor to Miami Urban Debate League. Director of Debate at U Miami, Former President of CEDA. And \*\* Austin, attorney who focuses on criminal, personal injury and civil rights law, JD, Suffolk University, Argumentation and Debate, Critical Thinking for Reasoned Decision Making, 121-4.

Debate is a means of settling differences, so there must be a controversy, a difference of opinion or a conflict of interest before there can be a debate. If everyone is in agreement on a feet or value or policy, there is no need or opportunity for debate; the matter can be settled by unanimous consent. Thus, for example, it would be pointless to attempt to debate "Resolved: That two plus two equals four,” because there is simply no controversy about this state­ment. Controversy is an essential prerequisite of debate. Where there is no clash of ideas, proposals, interests, or expressed positions of issues, there is no debate. Controversy invites decisive choice between competing positions. Debate cannot produce effective decisions without clear identification of a question or questions to be answered. For example, general argument may occur about the broad topic of illegal immigration. How many illegal immigrants live in the United States? What is the impact of illegal immigration and immigrants on our economy? What is their impact on our communities? Do they commit crimes? Do they take jobs from American workers? Do they pay taxes? Do they require social services? Is it a problem that some do not speak English? Is it the responsibility of employers to discourage illegal immigration by not hiring undocumented workers? Should they have the opportunity to gain citizenship? Does illegal immigration pose a security threat to our country? Do illegal immigrants do work that American workers are unwilling to do? Are their rights as workers and as human beings at risk due to their status? Are they abused by employers, law enforcement, housing, and businesses? How are their families impacted by their status? What is the moral and philosophical obligation of a nation state to maintain its borders? Should we build a wall on the Mexican border, establish a national identification card, or enforce existing laws against employers? Should we invite immigrants to become U.S. citizens? Surely you can think of many more concerns to be addressed by a conversation about the topic area of illegal immigration. Participation in this “debate” is likely to be emotional and intense. However, it is not likely to be productive or useful without focus on a particular question and identification of a line demarcating sides in the controversy. To be discussed and resolved effectively, controversies are best understood when seated clearly such that all parties to the debate share an understanding about the objec­tive of the debate. This enables focus on substantive and objectively identifiable issues facilitating comparison of competing argumentation leading to effective decisions. Vague understanding results in unfocused deliberation and poor deci­sions, general feelings of tension without opportunity for resolution, frustration, and emotional distress, as evidenced by the failure of the U.S. Congress to make substantial progress on the immigration debate. Of course, arguments may be presented without disagreement. For exam­ple, claims are presented and supported within speeches, editorials, and advertise­ments even without opposing or refutational response. Argumentation occurs in a range of settings from informal to formal, and may not call upon an audi­ence or judge to make a forced choice among competing claims. Informal dis­course occurs as conversation or panel discussion without demanding a decision about a dichotomous or yes/no question. However, by definition, debate requires "reasoned judgment on a proposition. The proposition is a statement about which competing advocates will offer alternative (pro or con) argumenta­tion calling upon their audience or adjudicator to decide. The proposition pro­vides focus for the discourse and guides the decision process. Even when a decision will be made through a process of compromise, it is important to iden­tify the beginning positions of competing advocates to begin negotiation and movement toward a center, or consensus position. It is frustrating and usually unproductive to attempt to make a decision when deciders are unclear as to what the decision is about. The proposition may be implicit in some applied debates (“Vote for me!”); however, when a vote or consequential decision is called for (as in the courtroom or in applied parliamentary debate) it is essential that the proposition be explicitly expressed (“the defendant is guilty!”). In aca­demic debate, the proposition provides essential guidance for the preparation of the debaters prior to the debate, the case building and discourse presented during the debate, and the decision to be made by the debate judge after the debate. Someone disturbed by the problem of a growing underclass of poorly educated, socially disenfranchised youths might observe, “Public schools are doing a terri­ble job! They' are overcrowded, and many teachers are poorly qualified in their subject areas. Even the best teachers can do little more than struggle to maintain order in their classrooms." That same concerned citizen, facing a complex range of issues, might arrive at an unhelpful decision, such as "We ought to do some­thing about this” or, worse, “It’s too complicated a problem to deal with." Groups of concerned citizens worried about the state of public education could join together to express their frustrations, anger, disillusionment, and emotions regarding the schools, but without a focus for their discussions, they could easily agree about the sorry state of education without finding points of clarity or potential solutions. A gripe session would follow. But if a precise question is posed—such as “What can be done to improve public education?”—then a more profitable area of discussion is opened up simply by placing a focus on the search for a concrete solution step. One or more judgments can be phrased in the form of debate propositions, motions for parliamentary debate, or bills for legislative assemblies, The statements "Resolved: That the federal government should implement a program of charter schools in at-risk communities” and “Resolved; That the state of Florida should adopt a school voucher program" more clearly identify specific ways of dealing with educational problems in a manageable form, suitable for debate. They provide specific policies to be investigated and aid discussants in identifying points of difference. This focus contributes to better and more informed decision making with the potential for better results. In aca­demic debate, it provides better depth of argumentation and enhanced opportu­nity for reaping the educational benefits of participation. In the next section, we will consider the challenge of framing the proposition for debate, and its role in the debate. To have a productive debate, which facilitates effective decision making by directing and placing limits on the decision to be made, the basis for argument should be clearly defined. If we merely talk about a topic, such as ‘"homeless­ness,” or “abortion,” Or “crime,” or “global warming,” we are likely to have an interesting discussion but not to establish a profitable basis for argument. For example, the statement “Resolved: That the pen is mightier than the sword” is debatable, yet by itself fails to provide much basis for dear argumen­tation. If we take this statement to mean Iliad the written word is more effec­tive than physical force for some purposes, we can identify a problem area: the comparative effectiveness of writing or physical force for a specific purpose, perhaps promoting positive social change. (Note that “loose” propositions, such as the example above, may be defined by their advocates in such a way as to facilitate a clear contrast of competing sides; through definitions and debate they “become” clearly understood statements even though they may not begin as such. There are formats for debate that often begin with this sort of proposition. However, in any debate, at some point, effective and meaningful discussion relies on identification of a clearly stated or understood proposition.) Back to the example of the written word versus physical force. Although we now have a general subject, we have not yet stated a problem. It is still too broad, too loosely worded to promote well-organized argument. What sort of writing are we concerned with—poems, novels, government documents, web­site development, advertising, cyber-warfare, disinformation, or what? What does it mean to be “mightier" in this context? What kind of physical force is being compared—fists, dueling swords, bazookas, nuclear weapons, or what? A more specific question might be, “Would a mutual defense treaty or a visit by our fleet be more effective in assuring Laurania of our support in a certain crisis?” The basis for argument could be phrased in a debate proposition such as “Resolved: That the United States should enter into a mutual defense treaty with Laurania.” Negative advocates might oppose this proposition by arguing that fleet maneuvers would be a better solution. This is not to say that debates should completely avoid creative interpretation of the controversy by advo­cates, or that good debates cannot occur over competing interpretations of the controversy; in fact, these sorts of debates may be very engaging. The point is that debate is best facilitated by the guidance provided

#### Turns case –

#### The aff’s model of debate turns into a gripe session about a particular topic area, but not practical changes; the best liberation strategies develop when both debaters can engage and test it.

#### They force the neg to extremist generics like cap and anthro, which is more evasive than if their discussion had been within the topic.

#### Kills participation – that’s an independent voter and controls the internal link to any scholarship impacts. Rowland 84

(Robert C., Baylor U., “Topic Selection in Debate”, American Forensics in Perspective. Ed. Parson, p. 53-4)

The first major problem identified by the work group as relating to topic selection is the decline in participation in the National Debate Tournament (NDT) policy debate. As Boman notes: There is a growing dissatisfaction with academic debate that utilizes a policy proposition. Programs which are oriented toward debating the national policy debate proposition, so-called “NDT” programs, are diminishing both in scope and size. This decline in policy debate is tied, many in the work group believe, to excessively broad topics. The most obvious characteristic of some recent policy debate topics is extreme breadth. A resolution calling for regulation of land use literally and figuratively covers a lot of ground. National debate topics have not always been so broad. Before the late 1960s the topic often specified a particular policy change. The move from narrow to broad topics has had, according to some, the effect of limiting the number of students who participate in policy debate. First, the breadth of topics has all but **destroyed** novice debate. Paul Gaske argues that because the stock issues of policy debate are clearly defined, it is superior to value debate as a means of introducing students to the debate process. Despite this advantage of policy debate, Gaske believes that NDT debate is not the best vehicle for teaching beginners. The problem is that broad topics terrify novice debaters, especially those who lack high school debate experience. They are unable to cope with the breath of the topic and experience “negophobia,” the fear of debating negative. As a consequence, the educational advantages associated with teaching novice through policy debate are lost: “Yet all of these benefits fly out the window as rookies in their formative stage quickly experience humiliation at being caught without evidence or substantive awareness of the issues that confront them at a tournament.” The ultimate result is that fewer novices participate in NDT, thus lessening the educational value of the activity and limiting the number of debaters who eventually participate in more advanced divisions of policy debate. In addition to noting the effect on novices, participants argued that broad topics also discourage experienced debaters from continued participation in policy debate. Here, the claim is that it takes so much time and effort to be competitive on a broad topic that students who are concerned with doing more than just debate are forced out of the activity. Gaske notes, that “broad topics discourage participation because of insufficient time to do requisite research.” The final effect may be that entire programs wither cease functioning or shift to value debate as a way to avoid unreasonable research burdens. Boman supports this point: “It is this expanding necessity of evidence, and thereby research, which has created a competitive imbalance between institutions that participate in academic debate.” In this view, it is the competitive imbalance resulting from the use of broad topics that has led some small schools to cancel their programs.

#### Process:

#### Debate is about process not content – switching sides prevents debate from turning into an echo chamber. Muir 93

Department of Communications at George Mason (Star A., “A Defense of the Ethics of Contemporary Debate,” Philosophy and Rhetoric, Vol. 26, No. 4. Gale Academic Onefile)

Values clarification, Stewart is correct in pointing out, does not mean that no values are developed. Two very important values— tolerance and fairness—inhere to a significant degree in the ethics of switch-side debate. A second point about the charge of relativism is that tolerance is related to the development of reasoned moral viewpoints. The willingness to recognize the existence of other views, and to grant alternative positions a degree of credibility, is a value fostered by switch-side debate: Alternately **debating both sides of the same question inculcates** a deep-seated attitude of **tolerance toward differing points of view**. To be forced to debate only one side leads to an ego-identification with that side. , . . The other side in contrast is seen only as something to be discredited. Arguing as persuasively as one can for completely opposing views is one way of giving recognition to the idea that a strong case can generally be made for the views of earnest and intelligent men, however such views may clash with one's own. . . .Promoting this kind of tolerance is perhaps one of the greatest benefits debating both sides has to offer. 5' The activity should encourage debating both sides of a topic, reasons Thompson, because **debaters are "more likely to realize that propositions are bilateral. It is those who fail to recognize this fact who become** intolerant, dogmatic, and **bigoted.**""\* While Theodore Roosevelt can hardly be said to be advocating bigotry, his efforts to turn out advocates convinced of their rightness is not a position imbued with tolerance.At a societal level, the value of tolerance is more conducive to a fair and open assessment of competing ideas. John Stuart Mill eloquently states the case this way: Complete liberty of contradicting and disproving our opinion is the very condition which justifies us in assuming its truth for purposes of action; and on no other terms can a being with human faculties have any rational assurance of being right. . . . the peculiar evil of silencing the expression of an opinion is, that it is robbing the human race. . . . If the opinion is right, they are deprived of the opportunity of exchanging error for truth: if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of the truth, produced by its collision with error."\*' At an individual level, **tolerance is related to moral identity via empathic and critical assessments of differing perspectives**. Paul posits a strong relationship between tolerance, empathy, and critical thought. Discussing the function of argument in everyday life, he observes that **in order to overcome natural tendencies to reason egocentrically** and sociocentrically, **individuals must gain the capacity to engage in self-reflective questioning**, to reason dialogically and dialectically, and to "reconstruct alien and opposing belief systems empathically."\*- Our system of beliefs is, by definition, irrational when we are incapable of abandoning a belief for rational reasons; that is, when we egocentrically associate our beliefs with our own integrity. Paul describes an intimate relationship between private inferential habits, moral practices, and the nature of argumentation. Critical thought and moral identity, he urges, must be predicated on discovering the insights of opposing views and the weaknesses of our own beliefs. Role playing, he reasons, is a central element of any effort to gain such insight.

#### It’s also key to long-term activism, which outweighs because of existential threats. Lundberg 10

Christian O. Lundberg 10 Professor of Communications @ University of North Carolina, Chapel Hill, “Tradition of Debate in North Carolina” in Navigating Opportunity: Policy Debate in the 21st Century By Allan D. Louden, p. 311

The second major problem with the critique that identifies a naivety in articulating debate and democracy is that it presumes that the primary pedagogical outcome of debate is speech capacities. But **the democratic capacities built by debate are not limited to speech**—as indicated earlier, **debate builds capacity for critical thinking, analysis of public claims, informed decision making, and better public judgment. If the picture of modem political life that underwrites this critique of debate is a pessimistic view of increasingly labyrinthine and bureaucratic administrative politics, rapid** scientific and technological **change** outpacing the capacities of the citizenry to comprehend them, **and ever-expanding insular special-interest- and money-driven politics, it is a puzzling solution, at best, to argue that these conditions warrant giving up on debate**. If democracy is open to rearticulation, it is open to rearticulation precisely because **as the challenges of modern political life proliferate, the citizenry's capacities can change, which is one of the primary reasons that theorists of democracy** such as Ocwey in The Public awl Its Problems **place such a high premium on education** (Dewey 1988,63, 154). **Debate** provides an indispensible form of education in the modem articulation of democracy because it **builds precisely the skills that allow the citizenry to research and be informed about policy decisions that impact them**, **to sort through** **and evaluate** the **evidence for** and relative **merits of arguments for and against a policy in an increasingly information-rich environment, and to prioritize their time and political energies toward policies that matter the most to them.** **The merits of debate as a tool for building democratic capacity-building take on a special significance in the context of information literacy**. John Larkin (2005, HO) argues that **one of the primary failings of** modern colleges and **universities is that they have not changed curriculum to match with the challenges of a new information environment**. **This is a problem for** the course of academic study in our current context, but perhaps more important, argues Larkin, for **the future of a citizenry that will need to make evaluative choices against an increasingly complex and multimediated information environment** (ibid-). Larkin's study tested the benefits of debate participation on information-literacy skills and concluded that in-class debate participants reported significantly higher self-efficacy ratings of their ability to navigate academic search databases and to effectively search and use other Web resources: To analyze the self-report ratings of the instructional and control group students, we first conducted a multivariate analysis of variance on all of the ratings, looking jointly at the effect of instmction/no instruction and debate topic . . . that **it did not matter which topic students had been assigned** . . . students in the Instnictional [debate) group were significantly more confident in their ability to access information and less likely to feel that they needed help to do so----These findings clearly indicate greater self-efficacy for online searching among students who participated in (debate).... These results constitute strong support for the effectiveness of the project on students' self-efficacy for online searching in the academic databases. There was an unintended effect, however: After doing ... the project, instructional group students also felt more confident than the other students in their ability to get good information from Yahoo and Google. It may be that the library research experience increased self-efficacy for any searching, not just in academic databases. (Larkin 2005, 144) **Larkin's study substantiates** Thomas Worthcn and Gaylcn **Pack's** (1992, 3) **claim that debate in** the **college** classroom **plays a critical role in fostering the kind of problem-solving skills demanded by the increasingly rich media and information environment of modernity**. Though their essay was written in 1992 on the cusp of the eventual explosion of the Internet as a medium, Worthcn and Pack's framing of the issue was prescient: the primary question facing today's student has changed from how to best research a topic to the crucial question of learning how to best evaluate which arguments to cite and rely upon from an easily accessible and veritable cornucopia of materials. There are, without a doubt, a number of important criticisms of employing debate as a model for democratic deliberation. But cumulatively, **the evidence presented here warrants strong support for expanding debate practice** in the classroom **as** a technology for **enhancing democratic deliberative capacities**. **The unique combination of critical thinking skills, research and information processing skills, oral communication skills, and capacities for listening and thoughtful, open engagement with hotly contested issues argues for debate as a crucial component of a rich and vital democratic life**. In-class debate practice both aids students in achieving the best goals of college and university education, **and serves as an unmatched practice for creating thoughtful, engaged, open-minded and self-critical students who are open to the possibilities of meaningful political engagement and new articulations of democratic life. Expanding this practice is crucial, if only because the more we produce citizens that can actively and effectively engage the political process, the more likely we are to produce revisions of democratic life that are necessary if democracy is not only to survive, but to thrive. Democracy faces a myriad of challenges, including**: domestic and international **issues of class, gender, and racial justice**; **wholesale environmental destruction and the potential for rapid climate change**; emerging **threats to international stability** **in the form of terrorism, intervention and** new possibilities for **great power conflict; and increasing challenges of rapid globalization** including an increasingly volatile global economic structure. **More than any specific policy or proposal, an informed and active citizenry that deliberates with greater skill** and sensitivity **provides one of the best hopes for responsive and effective democratic governance, and by extension, one of the last best hopes for dealing with** the **existential challenges** to democracy [in an] increasingly complex world.

#### Also turns case since dogmatism is the root cause of oppression – refusal to accept the legitimacy of others is what causes the drive for parasitic control that they critique.

#### 3. Topical version of the aff – they can still read their method as a framing argument and leverage the aff advantage; solves their education but preserves the two-way dialogue that is unique to debate.

#### TVA – eliminate IP protections for all medicines entirely to crash the system. This is basically your advantage it just gives us an opportunity to contest it.

#### Procedural fairness should filter every impact –

#### Even if debate has impacts to education, the only real role of the ballot is to decide a winner and a loser – it’s what makes debate different from a seminar and competitive fairness the best incentive structure for all of the education we gain through debate.

#### Debate inevitably involves exclusions---the only non-arbitrary exclusion is the topic.