# 1NC

**Because rights are universal and inalienable entitlements, I negate, resolved:** **The member nations of the World Trade Organization ought to reduce intellectual property protections for medicines.**

## 1NC – Framework

#### I agree to the value of justice.

#### Thus, the value criterion is consistency with equal freedom. This is for 3 reasons:

#### [1] All questions of justice are derived from freedom. Any action I take requires my ability to take that action in the first place, which means that any conception of value would depend on freedom. However, since my freedom is valuable, so is everyone else’s because they have the same ability to act as I do. That means any action that violates someone’s freedom is inherently contradictory because I would be exercising my freedom while undermining theirs.

#### [2] Freedom enables us to be responsible for actions. For example, if someone pointed a gun to my head and told me to steal a car, I cannot be held responsible since I was forced to take the action. That makes my framework a prior question to any other framework.

#### [3] My opponent’s act of arguing against my framework would prove it true since the action of debating assumes they have the freedom to make arguments.

#### That means the round is evaluated through the context of freedom.

## Offense

### C1: Property Rights

#### If protections of intellectual property are reduced, people will be able to take each others’ property without limitation.

Van Dyke 18 Raymond Van Dyke, Technology and Intellectual Property Attorney, Patent Practitioner at Van Dyke Intellectual Property Law, 7-17-2018, accessed 10-15-21, "The Categorical Imperative for Innovation and Patenting," IPWatchdog, <https://www.ipwatchdog.com/2018/07/17/categorical-imperative-innovation-patenting/id=99178/> SJ//DA recut

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.

#### Affirming the resolution would imply that theft of intellectual property is acceptable, but theft is immoral and violates people’s control over their property.

### C2: Freedom Violations

#### Even if reducing IP protections has good effects, it’s incompatible with moral obligation, which makes it wrong.

#### The existence of intellectual property protections is an acceptable use of freedom because people should have the ability to control their property. To prevent these actions by getting rid of property protections is thereby immoral.

Ripstein 09 Arthur Ripstein, Professor of Law and Philosophy and University Professor at the University of Toronto. Force and Freedom pg. 30-31. 2009 Cambridge, Massachusetts; London, England: Harvard University Press. Retrieved August 13, 2020, from [www.jstor.org/stable/j.ctt13x0hb0](http://www.jstor.org/stable/j.ctt13x0hb0) //ACCS JM

The Universal Principle of Right states that “an action is right if it can coexist with everyone’s freedom in accordance with a universal law, or if on its maxim the freedom of choice of each can coexist with everyone’s freedom in accordance with universal law.”1 An action is wrong if it hinders an action or “condition” that is itself rightful, that is, one that can coexist with everyone’s freedom. Kant also identifies a right as a “title to coerce.” He goes on to argue that it follows from this, by “the principle of contradiction,” that any act that hinders another person’s use of freedom may in turn be hindered by others. This idea of hindrance, and the analogy with general dynamics through which Kant explicates it, have been the source of some confu- sion. I will examine Kant’s direct arguments for the Universal Principle of Right, as well as the analogies he draws with dynamics, in the appendix. My task in this chapter will be to lay out his conception of equal freedom in normative terms. My focus in outlining the broad idea of equal freedom will be on what Kant characterizes as the “innate right of humanity in your own person,” which he also identifies as the right to be your own master—that is, the right that no other person be your master. I will explain the social and in- terpersonal dimension of this conception of self-mastery, its relation to a system of equal freedom in accordance with universal law, and Kant’s characterization of that system in terms of coercion.

#### If one person has control over their intellectual property, that does not interfere with another person’s ability to control their own intellectual property. It is immoral to stop people from doing this because the government cannot violate people’s freedom for unjustified reasons. Thus, I urge you to negate.