# 1NC Bronx Doubles

## 1

**Interp: The affirmative must only defend the hypothetical enactment of the resolution “Resolved: The member nations of the World Trade Organization ought to reduce intellectual property protections for medicines ”**

**Resolved means a policy**

**Find Law Legal Dictionary** <https://dictionary.findlaw.com/definition/resolve.html> //SR

2 : a legal or official determination

**Violation: Neg is extra-T--they defend the res but AS A STRATEGY OF RADICAL MIMICRY which is methodological offense for them. 1ar i meets will be defensive and shifty at best so hold the line with risk of offense framing**

**Vote negative for limits---the resolution is the most predictable stasis point for debates, anything outside of that ruins prep and clash by allowing the affirmative to pick any grounds for debate. That greenlights a race away from the core topic controversies that allow for robust contestation, which favors the aff by making neg ground inapplicable, susceptible to the perm, or concessionary. You can make the res an infinitely small part and gain offense on multiple layers to delink our offense. The impact is iterative content mastery---getting to the third and fourth level of tactical engagement is only possible with refined and well-researched positions connected to the resolutional mechanism. Repeated debates over core issues incentivize innovative argument production and improved advocacy based on feedback and nuanced responses from opponents. Also flips accessibility since small school debaters are expected to prep infinite affs beyond their reasonable burden**

**Independently, fairness outweighs because**

**[1] Meta Constraint--all arguments including the aff presumes the judge to evaluate them fairly**

**[2] Testing--can’t be certain the aff is true if we couldn’t engage in it--also means no weighing case**

**[3] Probability--ballot can’t solve real violence but it can rectify fairness skews because debate is a game with wins and losses intrinsic to it--proven by you agreeing to things like speech times**

**But, their offense is nuq--we can get their discussions in other ways**

**[1] TVA--talk about why IP is consistent with hyperreality based on the empty sign of possession. If radical mimicry is good, you should mimic everyone else and just defend the res**

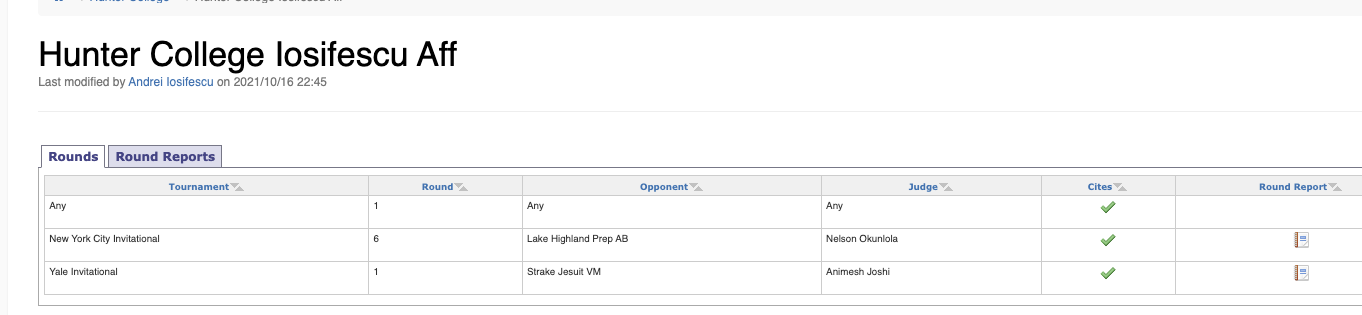
**[2] SSD--read it on neg**

**[3] Discuss it out of round**

**Fairness and education are voters – debate’s a game that needs rules to evaluate it and it teaches portable skills that we use lifelong. Drop the debater for deterrence since the round was already skewed by our disadvantaged 1nc and competing interps since reasonability is arbitrary, causes a race to the bottom, always flips aff since they can re-spin the round in the 2ar to sound reasonable with ethos, and collapses to competing interpretations of a reasonable brightline. No rvi’s or impact turns - [1] they’d purposefully be abusive to bait us into reading bad arguments and can drill it a lot chilling us from checking abuse [2] You shouldn’t win for being T - if you win T is a bad thing then its at most just a reason we should drop it to let us learn from our mistakes [3] Only reason we read T is because we were pigeonholed and had nothing else to read [4] T just says the aff is a bad idea like any other argument, under their logic every argument for why the aff is a bad idea would also be an independent voter. No 1ar theory or independent voters: you get 2ar ethos to blow up a 20 second shell we overcover and responses to my counter interp will be new causing intervention. Drop the arg and reasonability to counteract the short 2ar from blowing up any small thing into a voting issue--they have 7 minutes to justify it while we only have 6 to respond. Evaluate the debate after the 2nr so both of us get 2 speeches--most reciprocal**

## 2

**Interp: Debaters must disclose round reports on the 2020-2021 NDCA LD wiki for every round they have debated this season. Round reports disclose which positions (AC, NC, K, T, Theory, etc.) were read/gone for in every speech**

Violation: like 2 round reports out of 2 tournaments

**The standard is strategy education--knowing what people go for in later speeches like the 1ar and 2nr are necessary to prepare a robust and well thought out strategy that adapts to the specific debater. Otherwise, you could just go for 1ar theory or an RVI every round and we would never know which 1] gives you a huge pre-round prep advantage since you know our strategy 2] worsens the quality of debates since strategies are less adaptive so you can stick to the same old boring 1ar restarts and 3] worsens accessibility because a] big schools can go around and scout/collect flows while independents are left in the dark, so only round reports can level the playing field and b] round reports help novices understand how good debaters strategically deploy certain positions which helps to better understand their strategic value. Accessibility outweighs--all arguments presume we can access them and impact turns are repugnant since no political strategy should willingly exclude people**

## 3

**CP: I affirm that the member nations of the World Trade Organization ought to reduce intellectual property protections for all medicines except for medicines created by indigenous folks, for which all ownership ought to be transferred to the indigenous communities that originally developed the medicine as a form of radical mimcry of the system itself**

Ngoc **Tang**, 3-24-**2020**, *Finance Major, CSULB 2021,* "The Importance of Native American Intellectual Property," California State University, Long Beach, <https://www.csulb.edu/college-of-business/legal-resource-center/article/the-importance-of-native-american-intellectual> //SR \*brackets in text\*

Native Americans are known for their distinctive cultures and special symbols. Protecting these cultures from being abused is difficult. In the article "Intellectual Property, Traditional Knowledge, and Traditional Cultural Expressions in Native American Tribal Codes,” author Dalindyebo Bafana Shabalala explains what is considered as Native American intellectual property and why it needs protection. According to Shabalala, Native American intellectual property includes traditional knowledge, traditional cultural expressions, and genetic resources (Shabalala par. 4). Traditional knowledge is skills, practices, and innovation concerning biodiversity, agriculture or health (par. 8). Various forms of art such as symbols, designs, painting, dance, music, literature, and performance are considered as cultural expressions (par. 10). Genetic resources include plants, seeds, and medicine formulas. There have been many cases where the Native American intellectual property has been used without first obtaining permission and authorization from the Native Americans. As mentioned in Shabalala’s article, Allergan, a pharmaceutical company, was using the Saint Regis Mohawk tribe’s formula to make their eye drop drug. However, that is not their original formula, so “on Friday, September 8, 2017, the pharmaceutical company” had to “[transfer] ownership of all federal U.S. patents for its Restasis drug to the Saint Regis Mohawk tribe; the tribe then licensed them back to the company” (par. 1). Another interesting case mentioned in the article is about the series Twilight ​​by author Stephanie Myers. The author of this book used the Quileute tribe’s origin story and incorporated it with the fictitious werewolf story without the permission of the tribe. Shabalala says that although the book or the movie “may have a valid copyright in the realm of federal property, the unauthorized use of the Quileute origin story may cause harm when outsiders begin viewing the unauthorized use of the cultural property as a true reflection of the source culture” (par. 11). These actions not only abuse the use of Native American intellectual property, but they also affect the images, the stories, and the cultures of the native people. With these cases of the property being misused, Shabalala raises a question of how the Native Americans protect their cultural properties and how the current federal law acts in protecting these properties. Each Native American tribe has its own laws and rules; these laws and rules are called tribal codes. In his study of a hundred tribal codes, Shabalala shows that there are only nine codes mentioned about intellectual property or something related to intellectual property. This study demonstrates that the native people are unaware in protecting their cultural property. The native people are unaware because they do not know or think that other people would use these properties for their own purposes. However, the current federal laws are not providing enough protection for Native American intellectual property. Shabalala mentions the Trademark Law Treaty Implementation Act (TLTIA) and the Indian Arts and Crafts Act (IACA). The purpose of the TLTIA is “to provide international uniformity of trademark registration’ (par. 77); however, “the Congressional Record regarding TLTIA is absent of any authority or mention of providing protection to Native American tribes” (par. 83). The purpose of the IACA is to prevent fraud in the Indian arts and crafts market. However, according to Shabalala’s research, “the IACA trademark system does not provide sufficiently, and arguably any, protection for Native American tribes' cultural property, nor was it ever intended to” (par. 46). Another act is the Native American Graves Protection and Repatriation Act (NAGPRA), an act with the purpose to provide “protection, return, and repatriation of Native American remains and artifacts found on federal or tribal lands” (par. 66). However, according to the article “An Analysis of the Lack of Protection for Intangible Tribal Cultural Property in the Digital Age,” author Chante Westmoreland states that the NAGPRA did “offer some protection for the tangible cultural property but omit protection for the sacred traditional knowledge the object conveys” (Westmoreland par. 10). There are many acts that try to provide protection concerning intellectual property, but they do not provide enough protection for the Native American intellectual property including traditional property, traditional cultural expressions, and genetic resources. According to the article called “Group Right to Cultural Survival: Intellectual Property Rights in Native American Cultural Symbols,” Terence Dougherty states that, “Intellectual property law in the context of cultural appropriation is particularly relevant to many Native Americans” (Dougherty par. 44). Dougherty also explains that with the significant misuse of the native symbols, cultural appropriation can greatly affect the cultural survival of the native people. Furthermore, in Westmoreland’s article, he states that “sacred traditional knowledge is not merely information, it is essential to the tribal way of life” (par. 9). This demonstrates that the intellectual property of the Native Americans is extremely important to them in their living and their culture. Therefore, to avoid the misuse that can cause a negative impact on the native people, anyone who wants to use the property must have authorization from the native people. Moreover, the federal government needs to provide a law that specifically protects Native American traditional knowledge, traditional cultural expressions, and genetic resources.

**The CP gives indigenous nations resources for self sovereignty and centers discussions around native demands, which better allows for the accessibility of those medicines**

Simon **Brascoupé and** Karin **Endemann**, Fall **1999**, INTELLECTUAL PROPERTY AND ABORIGINAL PEOPLE: A WORKING PAPER <https://www.wipo.int/export/sites/www/tk/en/databases/creative_heritage/docs/ip_aboriginal_people.pdf> //SR

Traditional Knowledge and Intellectual Property The Aboriginal legacy of traditional knowledge comes in two distinct forms. On one hand, an Aboriginal community is the custodian of a store of sacred knowledge, including ceremonies, symbols, and masks that is increasingly open to unauthorized commercial exploitation by individuals, companies or institutions. Some Aboriginal people contend it is not appropriate to use IP law to protect sacred traditional knowledge. On the other hand, many products and services associated with traditional lifestyles of Aboriginal people may have commercial value that could help to support the continuation of these lifestyles and the Aboriginal goal of self-sufficiency. The limited Aboriginal use of Canada’s current IP laws suggests that these laws may not be particularly well suited to protecting either of these forms of traditional knowledge. A distinction must be made between traditional knowledge held by an Aboriginal community and the innovations or new creations of an individual or an Aboriginal company. New products and works of art by Aboriginal inventors and artists qualify for protection under existing IP laws. Music, songs, dance, stories, designs and symbols are passed on in many Aboriginal communities from memory and by word of mouth. Each community is both a conveyer and a user of traditional knowledge. This knowledge is dynamic and evolves with the culture, so it is the product of a continuing creative process. Many Aboriginal artists and artisans create works inspired by the traditional knowledge of their community, and use copyright law extensively. Issues that are not addressed widely are: how Aboriginal people relate to their community in the context of the traditional and dynamic aspects of traditional knowledge; and how traditional knowledge itself can be effectively protected. Protecting Traditional Knowledge Within an Aboriginal Community Few legal mechanisms exist to help indigenous communities protect and preserve traditional knowledge. It is urgent that such mechanisms be developed, because of the increasing pace at which control of traditional knowledge is being lost due to misappropriation and pressures from the non-indigenous world. In the meantime, the use of existing legal tools can be part of a “web” of strategies to help Aboriginal communities better protect and control their traditional knowledge, and ensure benefits are shared in a way that meets community needs. These strategies could include: ! developing local mechanisms within communities to control and protect traditional knowledge; ! more effective use of contractual arrangements to recognize traditional customs and knowledge; ! developing guidelines to ensure that third parties secure proper and informed consent before an Aboriginal community shares traditional knowledge; and ! using existing IP laws. Many Aboriginal people have said that they need to consider how they share and protect traditional knowledge within their communities before deciding whether and how they will share this knowledge with others. Once a community identifies its traditional knowledge and adopts community-based measures governing the use of this knowledge, then the community will be more secure in its ownership and more effective in any negotiations to share its knowledge. It is important that Aboriginal communities develop a strategy to protect traditional knowledge. This will help them avoid losing control over this knowledge to third parties seeking academic advancement or commercial gain. Public disclosure of traditional knowledge has the potential to jeopardize an Aboriginal community’s ability to obtain protection under Canada’s IP laws. This is because knowledge that is disclosed may no longer qualify for IP protection because it is in the public domain. Aboriginal communities considering these issues should identify the scope and nature of traditional knowledge in their community. Part of this process is to identify what knowledge is most important to the community, and how the preservation of traditional knowledge and practices is at risk. Is traditional knowledge being lost because elders have been unable to pass their wisdom to the next generation? Is knowledge being lost because Aboriginal people are being displaced from their traditional environment or because they are influenced by outside media and culture? Has traditional knowledge been allowed into the public domain or been misappropriated by commercial or scientific interests from outside the Aboriginal community? Some Aboriginal people have identified a need for dialogue about traditional ways of sharing and preserving traditional knowledge. What are the obligations of individuals to their community when they use or share traditional knowledge? These issues are just beginning to be discussed within Aboriginal communities and First Nations, at the federal level in Canada, and internationally among indigenous peoples and within international organizations. It is also important for Aboriginal communities to consider what traditional knowledge is sacred and what knowledge may be shared with others or used commercially. Only after a full dialogue will these communities be in a position to determine the best mechanisms to control access to their traditional knowledge, and what knowledge they want to share with others. A number of approaches will be needed to reflect the varied nature and use of the community’s traditional knowledge. One option may be for Aboriginal communities to develop guidelines to prevent unwanted disclosure, and to ensure that traditional knowledge remains within the community. The process of developing guidelines will help ensure that the entire community is consulted in decisions concerning the protection of traditional knowledge and control over its commercialization. These guidelines would need to be enforced by the community, since an Aboriginal community may not have any recourse to the courts if one of its members violates the guidelines. Community guidelines might include policies on the publication of traditional knowledge, its use by others or the use of the community’s symbols. Aboriginal communities may also want to ensure that sharing traditional knowledge within the community continues, and is not restricted more than it was traditionally.

## 4

**Text – हिंदी में करो अफीम**

**To Clarify, aff in hindi. The text does not mean only hindi is accepted, rather there should be a diversity in language usage that’s not just english**

**The normalization of normative English leads to an in-group/out-group that drive racial violence**

**Rosa et al 17** Rosa, Jonathan, and Nelson Flores. "Unsettling race and language: Toward a raciolinguistic perspective." Language in society 46.5 (2017): 621-647. (Assistant Professor of Anthropology and Linguistics and Associate Professor in the Educational Linguistics Division)//Elmer

Similar to Bucholtz & Hall's (2005) approach to identity and interaction, we are interested in how processes of raciolinguistic enregisterment emblematize particular linguistic features as authentic signs of racialized models of personhood. This is found not only in sociolinguistic accounts of the features that compose categories such as ‘African American English’ (Green 2002) or ‘Chicano English’ (Fought 2003), but also popular stereotypes and modes of linguistic appropriation such as ‘Mock Spanish’ (Hill 2008), ‘Mock Asian’ (Chun 2004), ‘Hollywood Injun English’ (Meek 2006), and ‘linguistic minstrelsy’ (Bucholtz & Lopez 2011). In each of these cases, minute features of language, including grammatical forms, prosodic patterns, and morphological particles, are emblematized as sets of signs that correspond to racial categories. Crucially, as Meek (2006) demonstrates, these forms need not correspond to empirically verifiable linguistic practices in order to undergo racial emblematization. Moreover, as Lo & Reyes (2009) point out, the imagination of groups such as Asian Americans as lacking a distinctive racialized variety of English analogous to African American English or Chicano English, must be interrogated based on the racial logics that organize stereotypes about and societal positions of different racial groups on the one hand, and perceptions of their language practices on the other. Specifically, Lo & Reyes argue that racial ideologies constructing Asian Americans as model minorities who approximate whiteness are linked to language ideologies constructing Asian Americans as lacking a racially distinctive variety of English. In related work, Chun (2016:81) shows how emblematized Mock Asian forms such as ‘ching-chong’ are located across ‘the important boundary between ‘Oriental talk’ and English’, which sustains Asian Americans alternately as model minorities and forever foreigners. Thus, we must carefully reconsider seemingly ‘distinctive’ and ‘nondistinctive’ language varieties alike, by analyzing the logics that position particular racial groups and linguistic forms in relation to one another. That is, no language variety is objectively distinctive or nondistinctive, but rather comes to be enregistered as such in particular historical, political, and economic circumstances.

**The performance of the 1NC is a form of Code Switching that disrupts English-centered discourses**

**Duan**, Carlina. " The Space Between: An analysis of code-switching within Asian American poetry as strategic poetic device"(English Honors) AND" Here I Go, Torching"(Creative Writing Honors). Diss. 2015. (BA in Honors English from the University of Michigan)//Elmer

In an interview with Women’s Review of Books literary magazine, Hong further discussed the strategic role of translation as a form of linguistic activism within her poetic work. When asked why she does not include translations from Korean to English within her own poetry, Hong said: “I wanted to open up these schisms, to emphasize that memory, the filtering of human experience into poetry, is often fractured and not transparent, especially experiences which have always been bisected and undercut by two languages.” She added, “I think I want to debunk the idea of easy translation—whether it be the idea of literal translation or, as I said before, the translating of one’s experience into poetry” (Hong 2002a, 15). Hong’s intentional decision to leave out English translations in her poetry creates a power dynamic between speaker and reader of the poem. Not only are “easy” translations dismantled and withheld from the reader, but, according to Hong, codeswitching — without translation — also more accurately reflects her personal experiences of cultural and linguistic movement. Hong points out that human experiences and the world of memory, especially for bilingual speakers, are “not transparent” — not captured neatly by one language, but rather, “bisected” by the complexities of belonging to two (or more) languages, implying a movement between multiple spaces. Scholars describe poetic code-switching in this way as a navigation of power. Literary scholar Benzi Zhang argues that code-switching makes apparent different levels of cultural knowledge for speaker and reader: “[T]he insertion of […] foreign words effectively renders Asian sensibilities into English and signifies different positions of cultural agency” (Zhang 131). Building upon this idea of cultural agency, I argue that Hong uses Korean to consciously expose themes of exoticism and racial stereotyping that readers themselves may be (consciously or unconsciously) participating in. As a result, Hong creates agency for her speaker through critiquing culturally appropriative behavior, in addition to an agency in knowledge; Hong’s speaker can access cultural understanding that her readers do not have. Yet, Hong does more than negotiate questions of audience access; she uses code-switching to reflect her speaker’s lived experiences of Korean-American identity, grappling with multiple languages and cultural codes. In “An Introduction to Chinese-American and Japanese American Literatures,” Jeffrey Chan et al. writes, “The minority experience does not yield itself to accurate or complete expression on the white man’s language” (qtd. Zhang 137). As Chang et al. suggest, code-switching embeds itself as a natural part of the “minority experience,” and is documented as such in Hong’s poems. Thus, the poems not only act as social critique of exoticization, but further inhabit the embodied experiences of Korean-American female identities living in the U.S. — which, as Hong reveals, are complicated experiences of rage, agency, celebration, and shifting power dynamics. Critics who have reviewed Hong’s work, such as Jan Clausen, have raised questions about the effect of Hong’s play with translation. Clausen, in a review titled “The poetics of estrangement,” published through the Women’s Review of Books, writes of Hong’s collection Translating Mo’um: “Hong deftly dismantles the romance of language as homeland, with results especially unnerving for the non-Korean-speaking reader” (Clausen 15). According to Clausen, Hong’s work with code-switching subverts traditional notions of the ‘native tongue’ as representative of “homeland,” dismantling what a reader may expect of a Korean American author: that she use Korean language to specifically discuss her ethnic culture as a hyphenated American. In other words, Hong’s code-switches function as intentional poetic protest against the reader’s expectations of the relationship between multilingual text and ethnic identity. As Clausen points out, such readings may anticipate that mother tongue is only introduced to speak about cultural difference or history, rather than used additionally as formal poetic device. In this chapter, I reveal Hong’s awareness of Korean language and code-switching as tools in identity-construction. Rather than allow others to shape her identity for her, she remains dominant in shaping her identity — and her agency — for herself.