# 1NC vs. King AT

## 1

**Interpretation –  The Aff must defend theory interpretations and arguments unconditionally as presented in the 1ac. In other words, the aff may not run cx checks**

**Violation – they said neg should check interps in cx under the advocacy text**

**The standard is Theory recourse – CX checks**

1. **Causes sidestepping, encouraging you to have hidden abusive args since I either call you out on it in cx and you kick it or I concede it and you win, which makes debates innocuous**
2. **Causes ambiguity – what constitutes a sufficient "check" is unclear. Even if we isolate the abusive practice in CX, the aff can still go for the arg and establish new parameters for checking**
3. **Prep skew – even if you don’t kick the abuse, you get extra time to prep my interp since you know what I’ll indict. That gives you nearly double the time to prep and creates irreciprocal burdens.**

**Theory recourse outweighs since thats a prerequisite to checking any form of abuse**

**Cx doesn’t check, each of these function as independent DAs to their argument**

1. **Non verifiable since judges don’t flow it**
2. **Moots pre round and AC prep since I have to wait until cx**
3. **Wastes cx time that should be used for concessions**
4. **Just because cx checks doesn’t mean it shouldn’t be in your AC**

**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 - severance kills 1NC strat construction—1AR restart favors aff since it’s 7-6 time skew and they get 2 speeches to my one. No rvi - a) they’ll bait theory and prep it out with aff infinite prep—justifies infinite abuse and chilling us from checking abuse in fear of things like 2ar ethos which lets them recontextualize and always seem right on the issue b) forces the NC to go 7 minutes of theory because nothing else matters--outweighs because its the longest speech and the 2nr can never recover since the nc is our only route to generate offense. Competing interps - a) reasonability’s arbitrary & forces judge intervention especially with 2ar recontextualizations to always sound like the more reasonable debater b) norm setting - we find the best possible norms c) reasonability collapses - you use offense/defense paradigm to evaluate brightlines.**

## 2

**Interp: Debaters must disclose tournaments on the 2021-2022 NDCA LD wiki under the actual name of the tournament on tabroom for every round at said tournament.**

****

**Violation: Yale should be Yale University Invitational 2021** [**https://www.tabroom.com/index/tourn/index.mhtml?tourn\_id=20393**](https://www.tabroom.com/index/tourn/index.mhtml?tourn_id=20393) **//SR**

**And they didn’t even put in NEW YORK CITY INVITATIONAL DEBATE AND SPEECH TOURNAMENT**

**The standard is inclusion - they make debate inaccessible to novices or small schools who compete on the circuit but don’t have access to resources or have knowledge of debate lingo to know the shorthand nicknames for tournaments. Two internal links to accessibility - 1) lets debaters see if you won or lost on tab going for specific strategies or hitting specific strategies, letting debaters adapt around that and b) lets debaters see what speaks judges gave to help them see how good you were at going for x argument. Independently links into reciprocity since if I disclosed one way and you didnt’ you had the advantage in this round. Outweighs - none of their standards matter if debaters can’t access them and means reasonability is uniquely wrong since even a 1% risk of exclusion is bad, you obviously don’t say some level of exclusion is justified**

## 3

**Permissibility and presumption negate:**

**[a] Precision--Ought implies a moral obligation but permissibility denies the existence of such obligation in the first place**

**[b] Probability--infinite ways to prove the lack of an obligation to something but only one truth/obligation to prove**

**[c] Self Defeating--forces the aff into the impossible burden of disproving the infinite set of alternative obligations that have also been presumed true**

**Determinism is true**

**[1] Causality: The first law of thermodynamics holds that nothing can be created or destroyed, thus everything must have a cause if something cannot come from nothing. This means that either [a] free will, which definitionally causes it self, is illogical as it does not have one or [b] our free will is caused by something which is a contradiction and proves determinism true.**

**[2] The best neuroscientific, psychological, and medical evidence show free will doesn’t exist.**

Andrea **Lavazza**, Neuroethics, Centro Universitario Internazionale, Arezzo, Italy, Free Will and Neuroscience: From Explaining Freedom Away to New Ways of Operationalizing and Measuring It, **2016**, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4887467/> ///AHS PB BRACKETED FOR CLARITY

All these experiments seem to indicate that free will is an illusion. Yet, these relevant experiments can be interpreted in many ways. A possible view is that, in some way, determinism can be observed directly within ourselves. This interpretation might lead to the conclusion that free will is just an illusion. In fact, if one considers as a condition of free will the fact that it should be causa sui (i.e., it should be able to consciously start new causal chains), such a condition is incompatible with determinism as it is usually defined. For it, in fact, all events are linked by casual relations in the form of natural laws, which started long before we were born and which we cannot escape. However, determinism has generally been regarded as a metaphysical claim, not refutable by empirical findings. One could properly talk of automatism in the brain, not of determinism, based on the evidence available. (In any case, endorsing indeterminism might lead to consider our behavior as the causal product of choices that every time produce different results, as if we rolled a dice. This doesn’t seem to make us any freer than if determinism were overturned; cf. Levy, 2011). Most importantly, another feature of freedom seems to be a pure illusion, namely the role of consciousness. The experiments considered thus far heavily question the claim that consciousness actually causes voluntary behavior. Neural activation starts the decisional process culminating in the movement, while consciousness “comes after”, when “things are done”. Therefore, consciousness cannot trigger our voluntary decisions. But the role of consciousness in voluntary choices is part of the definition of free will (but the very definition of consciousness is a matter of debate, cf. Chalmers, 1996). Empirical research in psychology also shows that our mind works and makes choices without our conscious control. As proposed by psychologist Wegner (2002, 2003, 2004) and Aarts et al. (2004), we are “built” to have the impression to consciously control our actions or to have the power to freely choose, even though all that is only a cognitive illusion. Many priming experiments show that people act “mechanically” (even when their behavior might appear suited to the environment and even refined). Automatic cognitive processes, of which we aren’t always aware, originate our decisions, and they were only discovered thanks to the most advanced scientific research. Ultimately, consciousness, which should exercise control and assess the reasons for a choice, is thus allegedly causally ineffective: a mere epiphenomenon, to use the terminology of the philosophy of mind. This is what has been called Zombie Challenge, “based on an amazing wealth of findings in recent cognitive science that demonstrate the surprising ways in which our everyday behavior is controlled by automatic processes that unfold in the complete absence of consciousness” (Vierkant et al., 2013).

**[3] Identity: Being responsibility for your actions requires being responsible for the way you are as your nature guides actions. To be responsible for the way you are you must have intentionally been the cause of that nature. However, to be the cause of that nature requires a nature to be able to will action. Thus will becomes infinitely regressive and therefore impossible**

**That negates**

**[1] The aff says that we should reduce IP but the action of not reducing them is predetermined making statements that prescribe doing otherwise incoherent**

**[2] Determinism denies the moral value of prohibitions and obligations. If it were true then our actions would not be our own but would be caused by prior states of affairs, this denies moral responsibility and thus our ability to generate obligations as all actions lack willful force**

## 4

**Kant collapses to contractarianism, the idea that ethics are based on mutual agreements:**

**[1] Performativity - you agree to prep time, speech times, the res, etc - proves debate requires the existence is mutual agreements to function - means responses to my fw presume its true and absent contracts we can’t express Kantian obligations**

**[2] Bindingness - theories cannot be legitimate absent a motivation to follow it - only a theory that we have consented to can take into account our own desires and give us a reason to follow it - otherwise Kantianism would never be considered legitimate**

**[3] Restraint - their theory presumes a contract with others to mutually follow their theory, so we’re a side constraint - if the other is not bound by mutual restraint - then they did not make a choice to follow a framework freely since there was no consent which is coercion**

**That negates:**

**[1] Aff breaks existing contracts. [Weighs under kant - promise breaking]**

**Sauer 21** [Hans; Deputy General Counsel and Vice President for Intellectual Property for the Biotechnology Innovation Organization (BIO), a major trade association representing more than 1,000 biotechnology companies from the medical, agricultural, environmental, and industrial sectors. At BIO, he advises the organization’s board of directors, amicus committee, and various staff committees on patent and other intellectual-property-related matters. Before taking his current position at BIO in 2006, he was chief patent counsel for MGI Pharma Inc. in Bloomington, MN, and senior patent counsel for Guilford Pharmaceuticals Inc. in Baltimore, MD. Mr. Sauer holds a M.S. degree in biology from the University of Ulm in his native Germany, a Ph.D. in neuroscience from the University of Lund, Sweden, and a J.D. degree from Georgetown University Law Center, where he serves as adjunct professor; “Waiving IP Rights During Times of COVID: A ‘False Good Idea’,” IP Watch Dog; 4/19/21; https://www.ipwatchdog.com/2021/04/19/waiving-ip-rights-during-times-of-covid-a-false-good-idea/id=132399/] Justin

One wonders whether Congressional proponents of the TRIPS Waiver have given any thought as to how it could be implemented in U.S. law. There is no mechanism in U.S. law for simply waiving vested IP rights. Amendments to the federal patent, copyright, food and drug, and other federal statutes would need to be attempted; trade secret protections under 50 state laws overridden; and the waiver’s interference with the IP and confidentiality provisions of myriad existing private contracts would need to be sorted out. As a result, the Federal Government would have to assume unforeseeable and potentially colossal financial liability. And because the waiver is intended for the benefit of foreign developing nations, the legality of any attempt at U.S. domestic implementation would be doubtful, as Congress has no authority to expropriate U.S. property to benefit foreign countries. It is of course possible that Congressional proponents of the waiver are merely engaging in virtue-signaling, without any intention of ever implementing anything. But nonetheless, the waiver is certain to invite similar legislative train wrecks in other countries that aspire to the rule of law, and it is perplexing how little forethought seems to have gone into the proposal.

**[2] Aff forecloses future contracts**

**Hilty et al 21** [Reto Hilty Director at the Max Planck Institute for Innovation and Competition and a professor at the University of Zurich Pedro Henrique D. Batista Doctoral student and Junior Research Fellow at the Max Planck Institute for Innovation and Competition Suelen Carls Senior Research Fellow at the Max Planck Institute for Innovation and Competition Daria Kim Senior Research Fellow at the Max Planck Institute for Innovation and Competition Matthias Lamping Senior Research Fellow at the Max Planck Institute for Innovation and Competition Peter R. Slowinski Doctoral student and Junior Research Fellow at the Max Planck Institute for Innovation and Competition; “10 Arguments against a Waiver of Intellectual Property Rights,” Oxford Law; 6/29/21; https://www.law.ox.ac.uk/business-law-blog/blog/2021/06/10-arguments-against-waiver-intellectual-property-rights] Justin

2. Intellectual property rights are the basis for collaborations and contracts The development cycle of the new mRNA and vector vaccines—from the provision of the technological basis to safety studies and marketing authorisation—is tremendously multifaceted. Nevertheless, throughout the development, production and distribution of vaccines against Covid-19, cooperation has reached an unprecedented level—despite the typically fierce competition in the biopharmaceutical sector. Intellectual property rights and particularly patents are normally the basis for such cooperation; they provide assurance that contracts will be fulfilled. Even a temporary waiver of these rights may therefore have detrimental consequences for the willingness to cooperate.

# Accessible Formating

## 3

**Permissibility and presumption negate:**

**[a] Precision--Ought implies a moral obligation but permissibility denies the existence of such obligation in the first place**

**[b] Probability--infinite ways to prove the lack of an obligation to something but only one truth/obligation to prove**

**[c] Self Defeating--forces the aff into the impossible burden of disproving the infinite set of alternative obligations that have also been presumed true**

**Determinism is true**

**[1] Causality: The first law of thermodynamics holds that nothing can be created or destroyed, thus everything must have a cause if something cannot come from nothing. This means that either [a] free will, which definitionally causes it self, is illogical as it does not have one or [b] our free will is caused by something which is a contradiction and proves determinism true.**

**[2] The best neuroscientific, psychological, and medical evidence show free will doesn’t exist.**

Lavazza 16:

experiments indicate free will is an illusionNeural activation starts the decisional process consciousness “comes after Therefore, cannot trigger voluntary decisions psychology choices without conscious control.Automatic processes which we aren’t aware, originate our decisions

**[3] Identity: Being responsibility for your actions requires being responsible for the way you are as your nature guides actions. To be responsible for the way you are you must have intentionally been the cause of that nature. However, to be the cause of that nature requires a nature to be able to will action. Thus will becomes infinitely regressive and therefore impossible**

**That negates**

**[1] The aff says that we should reduce IP but the action of not reducing them is predetermined making statements that prescribe doing otherwise incoherent**

**[2] Determinism denies the moral value of prohibitions and obligations. If it were true then our actions would not be our own but would be caused by prior states of affairs, this denies moral responsibility and thus our ability to generate obligations as all actions lack willful force**

## 4

**Kant collapses to contractarianism, the idea that ethics are based on mutual agreements:**

**[1] Performativity - you agree to prep time, speech times, the res, etc - proves debate requires the existence is mutual agreements to function - means responses to my fw presume its true and absent contracts we can’t express Kantian obligations**

**[2] Bindingness - theories cannot be legitimate absent a motivation to follow it - only a theory that we have consented to can take into account our own desires and give us a reason to follow it - otherwise Kantianism would never be considered legitimate**

**[3] Restraint - their theory presumes a contract with others to mutually follow their theory, so we’re a side constraint - if the other is not bound by mutual restraint - then they did not make a choice to follow a framework freely since there was no consent which is coercion**

**That negates:**

**[1] Aff breaks existing contracts. [Weighs under kant - promise breaking]**

**Sauer 21**

There is no mechanism for waiving IP the waiver interfere with existing contracts

**[2] Aff forecloses future contracts**

**Hilty et al 21**

Ip are the basis for contracts from provision to marketing patent sprovide assure anc contracts will be fulfilled waiver detrimental