### 1

#### Interpretation - Affirmatives must specify and separately delineate an enforcement mechanism used to reduce intellectual property protections for medicines

#### Violation: they don’t Standards

#### 1] Shiftiness- They can redefine the 1AC’s enforcement mechanism in the 1AR which allows them to recontextualize their enforcement mechanism to wriggle out of DA’s since all DA links are predicated on type of enforcement i.e. international perception das, econ da, research da’s that may apply to certain medicines but not all or only to specific countries.

#### 2] Real World- Policy makers will always specify how the mandates of the plan should be endorsed. It also means zero solvency, absent spec, voters can circumvent the Aff’s policy since there is no delineated way to enforce the affirmative which means there’s no way to actualize any of their solvency arguments. ESpec isn’t regressive or arbitrary- it’s an active part of drafting ban treaties and is central to any advocacy about the reduction of medical IPs since the only uniqueness of a reduction is how effective its enforcement is

#### Fairness – Debate is a competitive activity and the better debater must win.

#### Education – it’s the only portable skill we take out of round.

#### Drop the debater –

#### 1] a loss deters future abuse

#### 2] dropping the arg severs from your original advocacy which creates a 7-6 timeskew when you read new offense.

#### Competing interps – 1] Your brightline is arbitrary and based on what you did rather than the best one. 2] Collapses – offense defense debate about your brightline is competing interps.

#### No RVI on T – 1] logic – you shouldn’t win for being cheating and being a moving target – outweighs since logic is a litmus test for arguments. 2] they encourage you to read an abusive aff and prep out T. 3] enables us to return to substance and get that education rather than debating T the whole time.

### 2

#### The role of the ballot is to determine the truth or falsity of the resolution.

#### 1. Logic: Debate is fundamentally a game with rules, which requires the better competitor to win. Every other ROB is just a reason why there are other ways to play the game but are not consistent enough with the purpose of the game to vote on, just like you don’t win a basketball game for shooting the most 3s.

#### 4. Inclusion: a) other ROBs open the door for personal lives of debaters to factor into decisions and compare who is more oppressed which causes violence in a space where some people go to escape. b) Anything can function under truth testing insofar as it proves the resolution either true or false. Specific role of the ballots exclude all offense besides those that follow from their framework which shuts out people without the technical skill or resources to prep for it.

#### 6. Constitutivism: The ballot asks you to either vote aff or neg based on the given resolution a) Five dictionaries[[1]](#footnote-1) define to negate as to deny the truth of and affirm[[2]](#footnote-2) as to prove true which means its intrinsic to the nature of the activity b) the purpose of debate is the acquisition of knowledge in pursuit of truth – a resolutional focus is key to depth of exploration which o/w on specificity. It’s a jurisdictional issue since it questions whether the judge should go outside the scope of the game.

#### Dictionary.com defines ‘intellectual’ as: a person of superior intellect.[[3]](#footnote-3)

#### Dictionary.com defines ‘property’ as: an essential or distinctive attribute or quality of a thing[[4]](#footnote-4)

#### Dictionary.com defines ‘medicine’ as: any object or practice regarded as having magical powers.[[5]](#footnote-5)

#### The Place Paradox- if everything exists in a place in space time, that place must also have a place that it exists and that larger place needs a larger location to infinity. Therefore, identifying ought statements is impossible since those statements assume acting on objects in the space-time continuum.

#### Grain Paradox- A single grain of millet makes no sound upon falling, but a thousand grains make a sound. But a thousand nothings cannot make something which means the physical world is paradoxical.

#### Arrows Paradox- If we divide time into discrete 0-duration slices, no motion is happening in each of them, so taking them all as a whole, motion is impossible.

### 3

#### Permissibility and presumption negate – a. the resolution indicates the affirmative has to prove an obligation via ought, and permissibility would deny the existence of an obligation b. Statements are more often false than true because any part can be false. This means you negate if there is no offense because the resolution is probably false.

#### Morality must be derived a priori:

#### 1] Naturalistic Fallacy – Evaluative conclusions require at least one evaluative premise—purely factual premises about the naturalist “goodness” do not entail evaluative conclusions.

#### 2] Uncertainty – inability to know others’ experience due to a limited perception makes empiricism unreliable for universal ethics.

#### 3] Verification – The logic of evaluating consequences is circular because it relies on the assumption that nature will hold uniform but we could only reach that conclusion through an observation of past events.

#### Ethics must answer “why should I follow this” else people could opt out of it and be skeptics. Only reason solves:

#### 1] Inescapability – asking why reason is important cedes authority to reason itself – it’s constitutive of our agency

#### 2] Action Theory – Every action can be broken down to infinite amounts of movements, i.e. me moving my arm can be broken down to every state my arm is in. Only reason can unify these movements because we use practical reason to achieve our goals, means all actions collapse to reason

#### Thus the standard is consistency with universalizibility. If the constitutive principle of agency is merely agency, then any valid practical judgment must be true of every practical agent and for every agent. Our judgements are authoritative and can’t apply to only ourselves any more than 2+2=4 can be true only for me, which makes noncontradiction a constraint.

#### Performativity – Argumentation presupposes one’s own freedom to act – if I violated your freedom, you wouldn’t be able to debate – this means contestations of my framework prove it true

### Offense

#### [1] Intellectual property is part of our metaphysical construction that preserves agency – anything else robs us of innate property

Pozzo 06 [Riccardo Pozzo, Immanuel Kant sobre propriedade intelectual. Trans/Form/Ação, (São Paulo), v.29(2), 2006, p.11-18, <https://www.scielo.br/j/trans/a/rLfb3yPN3p4KPsYpxp8LQCp/?format=pdf&lang=en> // JB]

The peculiarity of intellectual property consists thus first in being indeed a property, but property of an action; and second in being indeed inalienable, but also transferable in commission and license to a publisher. The bond the author has on his work confers him a moral right that is indeed a personal right. It is also a right to exploit economically his work in all possible ways, a right of economic use, which is a patrimonial right. Kant and Fichte argued that moral right and the right of economic use are strictly connected, and that the offense to one implies inevitably offense to the other. In eighteenth-century Germany, the free use came into discussion among the presuppositions of a democratic renewal of state and society. In his Supplement to the Consideration of Publishing and Its Rights, Reimarus asked writers “instead of writing for the aristocracy, to write for the tiers état of the reader’s world.” (Reimarus, 1791b, p.595). He saluted with enthusiasm the claim of disenfranchising from the monopoly of English publishers expressed in the American Act for the Encouragement of Learning of May 31, 1790. Kant, however, was firm in embracing intellectual property. Referring himself to Roman Law, he asked for its legislative formulation not only as patrimonial right, but also as a personal right. In Of the Illegitimity of Pirate Publishing, he considered the moral faculties related to intellectual property as an “inalienable right (ius personalissimum) always himself to speak through anyone else, the right, that is, that no one may deliver the same speech to the public other than in his (the author’s) name” (Kant, 1902, t.8, p.85). Fichte went farther in the Demonstration of the Illegitimity of Pirate Publishing. He saw intellectual property as a part of his metaphysical construction of intellectual activity, which was based on the principle that thoughts “are not transmitted hand to hand, they are not paid with shining cash, neither are they transmitted to us if we take home the book that contains them and put it into our library. In order to make those thoughts our own an action is still missing: we must read the book, meditate – provided it is not completely trivial – on its content, consider it under different aspects and eventually accept it within our connections of ideas” (Fichte, 1964, t.I/1, p.411).

#### Means the state can’t remove protections.

Zeidman et al. 2 [Bob Zeidman &amp; Eashan Gupta, "Why Libertarians Should Support a Strong Patent System", IPWatchdog, 1-5-2016, https://www.ipwatchdog.com/2016/01/05/why-libertarians-should-support-a-strong-patent-system/id=64438/, accessed: 8-9-2021.] //Lex VM

Libertarians believe in property rights and government protection of those rights as one of the few necessary requirements of government. Ownership of property and free markets leads to competitive production and trade of goods, which in turn leads to prosperity for all of society. Intellectual property is property like other forms of property, and so government must protect IP as it protects other forms of property because it too leads to competition and trade and prosperity. Libertarians should encourage a strong patent system and object to any “reforms” that limit intellectual property ownership or introduce more government regulation than is required.

#### 3] Neg contention choice – otherwise they can concede all of our work on framework and just read 4 minutes of turns which moots the four minutes of framework debate that the 1NC did giving them a massive advantage. It also kills phil education since it allows them to escape the framework lbl which outweighs since phil ed is unique to LD.

### Case

#### Reject 1ar theory:

#### A) Creates a 7-6 time skew

#### b)Causes infinite abuse against the neg, since I have no 3NR, you can just read a shell, and line by line all my responses in the 2AR, which means the aff always wins

#### C) Resolvability – all 2ar responses to 2nr counter interp are new which requires judge intervention to resolve

#### No aff infinite abuse: A) Spikes and 1ac theory solve

#### No 2ar weighing – infinitely unpredictable which I can’t respond to - make them do it in the 1ar

#### Capitalism is self-correcting and sustainable – war and environmental destruction are not profitable and innovation solves their impacts

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Democratic capitalism is a system built for survival. It has adapted successfully to shocks of every kind, to upheavals in technology and economics, to political revolutions and world wars. Capitalism has been able to do this because, unlike communism or socialism or feudalism, it has an inner dynamic akin to a living thing. It can adapt and refine itself in response to the changing environment. And it will evolve into a new species of the same capitalist genus if that is what it takes to survive. In the panic of 2008—09, many politicians, businesses, and pundits forgot about the astonishing adaptability of the capitalist system. Predictions of global collapse were based on static views of the world that extrapolated a few months of admittedly terrifying financial chaos into the indefinite future. The self-correcting mechanisms that market economies and democratic societies have evolved over several centuries were either forgotten or assumed defunct. The language of biology has been applied to politics and economics, but rarely to the way they interact. Democratic capitalism’s equivalent of the biological survival instinct is a built-in capacity for solving social problems

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> [↑](#footnote-ref-1)
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* [↑](#footnote-ref-2)
3. https://www.dictionary.com/browse/intellectual [↑](#footnote-ref-3)
4. https://www.dictionary.com/browse/property [↑](#footnote-ref-4)
5. https://www.dictionary.com/browse/medicine [↑](#footnote-ref-5)