### Framework

#### Ethics must begin a priori:

#### [A] Naturalistic Fallacy – experience only tells us what is since we can only perceive what is, not what ought to be. But it’s impossible to derive an ought from descriptive premises, so there needs to be additional a priori premises to make a moral theory.

#### [B] Empirical Uncertainty – evil demon could deceive us, dreaming, simulation, and inability to know others’ experience make empiricism an unreliable basis for universal ethics. Outweighs since it would be escapable since people could say they don’t experience the same.

#### [C] Authority – practical reason is the only unescapable authority because to ask for why we should be reasoners concedes its authority since it uses reason – anything else is nonbinding and arbitrary.

#### [D] Consequences Fail: [1] Every action has infinite stemming consequences, because every consequence can cause another consequence so we can’t predict or calculate. [2] Induction is circular because it relies on the assumption that nature will hold uniform and we could only reach that conclusion through inductive reasoning based on observation of past events. [3] Aggregation fails – suffering is not additive can’t compare between one migraine and 10 headaches.

#### Next, the relevant feature of reason is universality – any non-universalizable norm justifies someone’s ability to impede on your ends i.e. if I want to eat ice cream, I must recognize that others may affect my pursuit of that end and demand the value of my end be recognized by others which also means universalizability acts as a side constraint on all other frameworks. It’s impossible to will a violation of freedom since deciding to do would will incompatible ends since it logically entails willing a violation of your own freedom and evaluate the debate after the Thus, the standard is consistency with the categorical imperative. Prefer:

#### [1] Freedom is the key to the process of justification of arguments. Willing that we should abide by their ethical theory presupposes that we own ourselves in the first place. Thus, it is logically incoherent to justify the neg arguments/standard without first willing that we can pursue ends free from others.

#### [2] Externalism fails: no reason why we ought to care about higher order because they can just say screw it and not follow that order which takes out consequences because we don’t care about them.

#### Impact calc: [A] There’s an act/omission distinction – otherwise we’d be held infinitely culpable for every omission which kills any conception of morality [B] Action under one framework doesn’t preclude action under another. For example, if I am a Kantian, I can still have an obligation under Kant, even if the aff is bad under Hobbes. This means that winning a framing issue doesn’t exclude my offense. Particularly allowing for individual meaning creation is inherently good regardless of the content of index and drop them if they go to Harker, key to reciprocity since your teammate beat me at the sophomore round robin.

#### [3]Whatever argument the negative is running doesn’t prove the resolution false on its own terms, but rather challenges an assumption of the resolution. Secondly, statements like the resolution which make such assumptions should read as tacit conditionals or “If p, then q”. Thirdly, for all conditionals, if the antecedent, or the if part, is false, then the conditional as a whole is true. These three claims in combination, then, mean that by refuting an “assumption” of the resolution, the negative has actually proven it true.

### Advocacy

#### Thus, the advocacy – Resolved: The member nations of the World Trade Organization ought to reduce intellectual property protections for medicines.. CP and PICs affirm because they do not disprove my general thesis and check the doc for a list for spec.

For SPEC, if you need a list in the aff its here, but im willing to change it to what you need in cx within reason

#### Oxford defines States as “express something definitely or clearly in speech or writing.” OUGHT TO ELIMINATE LETHAL AUTONOMOUS WEAPONS.

#### Oxford defines resolved as “firmly determined to do something” Auto affirm because I’m firmly determined to affirm

#### Oxford defines affirmative as “agreeing with or consenting to a statement or request” Auto affirm because I agree with the res

Merriam Webster ["Ought." Merriam-Webster.com. Merriam-Webster, n.d. Web. 27 Dec. 2018. [https://www.merriam-webster.com/dictionary/ought //](https://www.merriam-webster.com/dictionary/ought%20//) ABML]Top of Form

Ought [auxiliary verb](https://www.merriam-webster.com/dictionary/auxiliary%20verb) \ˈȯt  \ Definition of ought  (Entry 1 of 4) —used to express obligation ought to pay our debts, advisability ought to take care of yourself, natural expectation ought to be here by now, or logical consequence the result ought to be infinity ought [verb](https://www.merriam-webster.com/dictionary/verb) \ˈȯ(ḵ)t  \ Definition of ought (Entry 2 of 4) [transitive verb](https://www.merriam-webster.com/dictionary/transitive) 1chiefly Scotland : [POSSESS](https://www.merriam-webster.com/dictionary/possess) 2chiefly Scotland : [OWE](https://www.merriam-webster.com/dictionary/owe) ought  [noun](https://www.merriam-webster.com/dictionary/noun) \ˈȯt  \ Definition of ought (Entry 3 of 4) : moral obligation : [DUTY](https://www.merriam-webster.com/dictionary/duty) ought \ˈȯt,  ˈät\ Definition of ought (Entry 4 of 4) archaic spelling of [AUGHT](https://www.merriam-webster.com/dictionary/aught)

### Offense

#### [1] Intellectual property protection violates the formula of autonomy – multiple warrants.

**Hale 18** Zachary A., 4-4-2018, "Patently Unfair: The Tensions Between Human Rights and Intellectual Property Protection," Arkansas Journal of Social Change and Public Service, <https://ualr.edu/socialchange/2018/04/04/patently-unfair/> JG

Before entering discussion of more recent institutional developments, it is germane to the object of this paper to examine the role of intellectual property in the United Nations preceding the incorporation of the WIPO. As noted above, intellectual property rights were included in the UDHR. Article 27 of the UDHR states that: 1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits. 2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.[17] This should not be interpreted as a consensus amongst the international community on how intellectual property should be regulated, or even on how to define the “moral and material” interests that deserved protection. As with many aspects of the UDHR, the inclusion of intellectual property was highly contested.[18] While a large number of states disagreed with Article 27, they were overpowered by states convinced of the material value of intellectual property protection. As Paul Torremans notes: [T]he initial strong criticism that [intellectual property] was not properly speaking a Human Right or that it already attracted sufficient protection under the regime of protection afforded to property rights in general was eventually defeated by a coalition of those who primarily voted in favour because they felt that the moral rights deserved and needed protection and met the Human Rights standard and those who felt the ongoing internationalization of copyright needed a boost and that this could be a tool in this respect.[19] This shift from discussion of intellectual property as a matter of trade law to discussion of intellectual property as a matter of human rights was furthered by the inclusion of intellectual property rights in Article 15 of the ICESCR, which took force in January of 1976. Article 15 states: 1. The States Parties to the present Covenant recognize the right of everyone: (a) To take part in cultural life; (b) To enjoy the benefits of scientific progress and its applications; (c) To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author. 2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for the conservation, the development and the diffusion of science and culture. 3. The States Parties to the present Covenant undertake to respect the freedom indispensable for scientific research and creative activity. 4. The States Parties to the present Covenant recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields.[20] The sub-clauses of 15.1 are essentially a reiteration of Article 27, but the mention of “development and diffusion” in 15.2 and “co-operation in the scientific and cultural fields” in 15.4 represent a radical shift in intellectual property interpretation. The conception of innovation in terms of market value and incentive systems was being challenged by ideas about human development, as is reflected in the suggestion that “the full realization” of the human rights aspect of intellectual property requires “the diffusion of science and culture,” a suggestion that was not present in the UDHR.[21] The Patents Cooperation Treaty (PCT),[22] arguably the most important development in international intellectual property law between the ICESCR (1976) and the TRIPs (1995), serves as an example of the continued dominance of traditional intellectual property notions, even within the diverse arena of the United Nations. The PCT came into effect under the authority of the United Nations in 1978, four years after the incorporation of the WIPO. This treaty, certainly the most consequential undertaking of the international intellectual property community since the 19th century, was engineered by a group of neoliberal economists led by Edward Brenner (US Commissioner of Patents) and Arpad Bogsch (Deputy Director of BIRPI and first Director General of WIPO) in response to the concerns of multinational corporations about international patent applicability.[23] The PCT set out to ensure that corporations with patents enjoyed equal protection in every country. This meant that a large pharmaceutical company could prosecute pharmaceutical actors around the world for using patented formulas as a starting point for generic drugs development. This protection provides a particular advantage to companies that already hold a large number of patents, as they can use patent-extending strategies to maintain a monopoly over formulas and technologies beyond the standard twenty-year limit.[24] Thus, twelve years after United Nations member states affirmed the value of diffusing scientific and cultural knowledge in the ICESCR, the WIPO became responsible for overseeing the regulation of such knowledge through the PCT. This protection, which largely favors companies with pre-existing patents,[25] set the tone for the most controversial institutionalization of intellectual property thus far, the TRIPs.[26] The TRIPs, established in the 1994 Uruguay Round of the General Agreements on Tariffs and Trade, was the first attempt to put forth comprehensive protection for intellectual property through the World Trade Organization (WTO).[27] This agreement represented a monumental change in the field of international intellectual property law, pushing the protection of intellectual property into the center of international trade law.[28] It forced a minimum standard of copyright and patent protection on all 162 WTO members, severely hindering the distribution and development of agricultural and pharmaceutical innovations.[29] Though there have been subsequent agreements aimed at increasing access to “essential drugs,”[30] the TRIPs and its restrictive prescriptions continue to dominate the institutional framework of international intellectual property.[31] III. Conflict Between Intellectual Property Protection and Human Rights Although the right to the protection of “moral and material interests resulting from any scientific, literary, or artistic production,”[32] is a human right as defined in the UDHR and the ICESCR, the current system of intellectual property protection conflicts with and even violates rights that are considered to be fundamental to human life. Although intellectual property instruments are certainly used to violate essential civil and political freedoms like the freedom of expression, and economic and social freedoms like the freedom to share in the scientific advancements of society, the most blatant violations of human rights caused by intellectual property protection occur in the fields of nutrition, healthcare, and culture.[33] Of these essential entitlements, the rights to food and health are made even more significant by their relationship to the most fundamental of all human rights: the right to life.

#### [2] States shouldn’t be forced to submit to a legal framework outside of their own anarchic conditions – that’s a violation of their own choice which is a contradiction in will.

### Additionally

#### [1] Only univeralizable reason can effectively explain the perspectives of agents – that’s the best method for combatting oppression.

Farr 02 Arnold Farr (prof of phil @ UKentucky, focusing on German idealism, philosophy of race, postmodernism, psychoanalysis, and liberation philosophy). “Can a Philosophy of Race Afford to Abandon the Kantian Categorical Imperative?” JOURNAL of SOCIAL PHILOSOPHY, Vol. 33 No. 1, Spring 2002, 17–32.

**One** of the most popular **criticism**s **of Kant’s moral philosophy is that it is too formalistic.**13 That is, the universal nature of the categorical imperative leaves it devoid of content. Such a principle is useless since moral decisions are made by concrete individuals in a concrete, historical, and social situation. This type of criticism lies behind Lewis Gordon’s rejection of any attempt to ground an antiracist position on Kantian principles. The rejection of universal principles for the sake of emphasizing the historical embeddedness of the human agent is widespread in recent philosophy and social theory. I will argue here on Kantian grounds that **although a distinction between the universal and the concrete is** a **valid** distinction, **the unity of the two is required for** an understanding of human **agency.** The attack on Kantian formalism began with Hegel’s criticism of the Kantian philosophy.14 The list of contemporary theorists who follow Hegel’s line of criticism is far too long to deal with in the scope of this paper. Although these theorists may approach the problem of Kantian formalism from a variety of angles, the spirit of their criticism is basically the same: The universality of the categorical imperative is an abstraction from one’s empirical conditions. **Kant is** often **accused of making the moral agent an abstract, empty**, noumenal **subject. Nothing could be further from the truth. The Kantian subject is** an embodied, empirical, concrete subject. However, this concrete subject has a dual nature. Kant claims in the Critique of Pure Reason as well as in the Grounding that human beings have an intelligible and empirical character.15 It is impossible to understand and do justice to Kant’s moral theory without taking seriously the relation between these two characters. The very concept of morality is impossible without the tension between the two. By “empirical character” Kant simply means that we have a sensual nature. We are physical creatures with physical drives or desires. **The** very **fact that I cannot simply satisfy my desires without considering the rightness** or wrongness **of my actions suggests that my empirical character must be held in check** by something, or else I behave like a Freudian id. My empiri- cal character must be held in check **by my intelligible character**, which is the legislative activity of practical reason. It is through our intelligible character that **we formulate principles that keep our** empirical **impulses in check.** The categorical imperative is the supreme principle of morality that is constructed by the moral agent in his/her moment of self-transcendence. What I have called self-transcendence may be best explained in the following passage by Onora O’Neill: In restricting our maxims to those that meet the test of the categorical imperative we refuse to base our lives on maxims that necessarily make our own case an exception. The reason why a universilizability criterion is morally signiﬁcant is that it makes our own case no special exception (G, IV, 404). In accepting the Categorical Imperative we accept the moral reality of other selves, and hence the possibility (not, note, the reality) of a moral community. **The Formula of Universal Law enjoins no more than that we act only on maxims that are open to others also.**16 O’Neill’s description of the universalizability criterion includes the notion of self-transcendence that I am working to explicate here to the extent that like self-transcendence, universalizable moral principles require that the individ- ual think beyond his or her own particular desires. The individual is not allowed to exclude others **as** rational **moral agents** who have the right to act as he acts in a given situation. For example, if I decide to use another person merely as a means for my own end I must recognize the other person’s right to do the same to me. I cannot consistently will that I use another as a means only and will that I not be used in the same manner by another. **Hence,** the **universalizability** criterion **is a principle of consistency and** a principle of **inclusion.** That is, in choosing my maxims **I** attempt to **include the perspective of other moral agents.**

#### [2] Aff gets 1AR theory since the neg can be infinitely abusive and I can’t check back. It’s drop the debater since the 1ar is too short to win both theory and substance. No 2NR RVI, paradigm issues, or theory since they’d dump on it for 6 minutes and my 3-minute 2AR is spread too thin. Competing interps since reasonability is arbitrary and bites judge intervention.

### Shell

#### Interpretation: The negative must concede the affirmative framework.

#### Violation: It’s preemptive

#### Prefer-

#### 1] Time skew- Winning the negative framework moots 6 minutes of 1AC offense and forces a 1AR restart against a 7 min 1NC – that outweighs on quantifiability and reversibility – I can’t get back time lost and it’s the only way to measure abuse.

#### 2] Topic Ed- Every debate would just be a framework debate which crowds out our ability to have core debates about the topic – that outweighs- A] Time Frame- We only have 2 months to debate the topic B] Inclusion- Phil and K literature is incredibly dense and requires a vast amount of prior knowledge and experience which excludes novices while topic literature is less esoteric C] Constitutivism- The only thing intrinsic to debate is the topic so it should be prioritized D] Portability- topics are carefully chosen to have modern relevance so only debate about them can generate portable skills.

#### 3] Prep skew- We can’t predict every single negative framework before round but they know the aff coming into round which makes pre-tournament prep impossible. Especially true since there are millions of K’s and NC’s that could negate. Prep skew outweighs A] Sequencing- It’s a perquisite engaging in-round since you need prep to debate B] Engagement- It ruins the quality and depth of discussions that make debate rounds educational.

#### Aff theory is the highest layer of the round – introduced first in the round so it’s a framing issue, the violation is preemptive, it’s your fault if you violate.

#### No RVI’s or OCIs on 1AC Theory- A] Incentivizes a 7 min collapse in the 1NC which destroys the short 1ar B] Moots all the time we spend reading the 1ac

#### 1AC Theory is DTD—its key to making sure they’re held accountable

#### Competing interps on 1AC Theory- A] 7 minutes is more than enough time to robustly justify their counter interp B] Gives us the opportunity to flesh out our model of debate since it’s introduced earlier in the aff