# Bronx quarters

#### The metaethic is practical reason. Prefer:

#### First, inescapability – the exercise of practical rationality requires that one regards it as intrinsically good – that justifies a right to freedom.

Wood [Allen W. Wood, (Stanford University, California) "Kantian Ethics" Cambridge University Press, 2007, https://www.cambridge.org/core/books/kantian-ethics/769B8CD9FCC74DB6870189AE1645FAC8, DOA:8-12-2020 // WWBW]//rct st

Kant holds that the most basic act through which people exercise their practical rationality is that of setting an end (G 4:437). To set an end is, analytically, to subject yourself to the hypothetical imperative that you should take the necessary means to the end you have set (G 4:417). This is the claim that you rationally ought to do something whether or not you are at the moment inclined to do it. It represents the action of applying that means as good (G 4:414) – in the sense of “good” that Kant explicates as: what is required by reason independently of inclination (G 4:413). Kant correctly infers that any being which sets itself ends is committed to regarding its end as good in this sense, and also to regarding the goodness of its end as what also makes application of the means good – that is, rationally required independently of any inclination to apply it. The act of setting an end, therefore, must be taken as committing you to represent some other act (the act of applying the means) as good. In doing all this, however, the rational being must also necessarily regard its own rational capacities as authoritative for what is good in general. For it treats these capacities as capable of determining which ends are good, and at the same time as grounding the goodness of the means taken toward those good ends. But to regard one’s capacities in this way is also to take a certain attitude toward oneself as the being that has and exercises those capacities. It is to esteem oneself – and also to esteem the correct exercise of one’s rational capacities in determining what is good both as an end and as a means to it. One’s other capacities, such as those needed to perform the action that is good as a means, are also regarded as good as means. But that capacity through which we can represent the very idea of something as good both as end and as means is not represented merely as the object of a contingent inclination, nor is it represented as good only as a means. It must be esteemed as unconditionally good, as an end in itself. To find this value in oneself is not at all the same as thinking of oneself as a good person. Even those who misuse their rational capacities are committed to esteeming themselves as possessing rational nature. It also does not imply that a more intelligent person (in that sense, more “rational”) is “better” than a less intelligent one. The self-esteem involved in setting an end applies to any being capable of setting an end at all, irrespective of the cleverness or even the morality of the end setting. Kant’s argument supports the conclusion, to which he adheres with admirable consistency throughout his writings, that all rational beings, clever or stupid, even good or evil, have equal (absolute) worth as ends in themselves. For Kantian ethics the rational nature in every person is an end in itself whether the person is morally good or bad.

#### Second, value theory – the existence of extrinsic goodness requires unconditional human worth.

Korsgaard (Christine M., “Two Distinctions in Goodness,” The Philosophical Review Vol. 92, No. 2 (Apr., 1983), pp. 169-195, JSTOR) OS \*bracketed for gen lang\* //rct st

The argument shows how Kant's idea of justification works. It can be read as a kind of regress upon the conditions, starting from an important assumption. The assumption is that when a rational being makes a choice or undertakes an action, he or she [they] supposes the object to be good, and its pursuit to be justified. At least, if there is a categorical imperative there must be objectively good ends, for then there are necessary actions and so necessary ends (G 45-46/427-428 and Doctrine of Virtue 43-44/384-385). In order for there to be any objectively good ends, however, there must be something that is unconditionally good and so can serve as a sufficient condition of their goodness. Kant considers what this might be: it cannot be an object of inclination, for those have only a conditional worth, "for if the inclinations and the needs founded on them did not exist, their object would be without worth" (G 46/428). It cannot be the inclinations themselves because a rational being would rather be free from them. Nor can it be external things, which serve only as means. So, Kant asserts, the unconditionally valuable thing must be "humanity" or "rational nature," which he defines as "the power set to an end" (G 56/437 and DV 51/392). Kant explains that regarding your existence as a rational being as an end in itself is a "subjective principle of human action." By this I understand him to mean that we must regard ourselves as capable of conferring value upon the objects of our choice, the ends that we set, because we must regard our ends as good. But since "every other rational being thinks of his existence by the same rational ground which holds also for myself' (G 47/429), we must regard others as capable of conferring value by reason of their rational choices and so also as ends in themselves. Treating another as an end in itself thus involves making that person's ends as far as possible your own (G 49/430). The ends that are chosen by any rational being, possessed of the humanity or rational nature that is fully realized in a good will, take on the status of objective goods. They are not intrinsically valuable, but they are objectively valuable in the sense that every rational being has a reason to promote or realize them. For this reason it is our duty to promote the happiness of others-the ends that they choose-and, in general, to make the highest good our end.

#### Third, practical reason – ethical principles must be derived from the structure of reason:

#### [1] Regress – we can always ask why we should follow a theory, so they aren’t binding because they don’t have a starting point. Practical reason solves – When we ask why we should follow reason, we demand a reason, which concedes to the authority of reason itself, so it’s the only thing we can follow

#### [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 the infinite moments of 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

#### Fourth, epistemology – ethics must begin a priori, meaning they can’t be derived from our experience.

#### [1] Representations of space – we can only access our experiences if we can interpret the space around us, but that requires the a priori. Thinking of the absence of space is impossible – we can think of empty space but never the lack of space itself. Imagining space through a priori thoughts is the only way we can even begin to have a conception of interpreting experience; we need to be able to construct space through our minds.

#### [2] Separateness – if space is based on experience, it must be formed from objects separate to us outside of our reasoning abilities. But to represent objects as separate from us, we would already need to assume space exists in the first place to have a concept of “separateness,” so to represent space as something separate from us would be incoherent.

#### [3] Uncertainty – every person has different experiences so we can’t have a unified perspective on what is good if we each have different conceptions of it – even if we can roughly aggregate it’s not enough because there’ll always be a case when it fails so the framework o/w on probability.

#### We have a unified perspective – If I say that 2+2=4, I understand not only that I know that 2+2=4, but that everyone around can arrive at the same conclusion too because they create practical syllogisms to justify their conclusion. But, willing a maxim that violates the freedom of others is a contradiction – that’s bad.

**Engstrom**, Stephen (Professor of Ethics at UPitt). “Universal Legislation As the Form of Practical Knowledge.” <http://www.philosophie.uni-hd.de/md/philsem/engstrom_vortrag.pdf> rct st

Given the preceding considerations, it’s a straightforward matter to see how **a maxim of action that assaults the freedom of others with a view to furthering one’s own ends results in a contradiction when we attempt to will it as a universal law** in accordance with the foregoing account of the formula of universal law. **Such a maxim would lie in a practical judgment that deems it good on the whole to act to limit others’ outer freedom, and hence their self-sufficiency, their capacity to realize their ends, where doing so augments, or extends, one’s own outer freedom and so also one’s own self-sufficiency.** In this passage, Kant mentions assaults on property as well as on freedom. But since property is a specific, socially instituted form of freedom, I have omitted mention of it to focus on the primitive case. Now on the interpretation we’ve been entertaining, **applying the formula of universal law involves considering whether it’s possible for every person—every subject capable of practical judgment—to share[s] the practical judgment asserting the goodness of every person’s acting according to the maxim in question.** Thus in the present case the application of **the formula involves considering whether it’s possible for every person to deem good every person’s acting to limit others’ freedom, where practicable, with a view to augmenting their own freedom**. Since here **all persons are on the one hand deeming good both the limitation of others’ freedom and the extension of their own freedom,** while on the other hand, insofar as they agree with the similar judgments of others, **also deeming good the limitation of their own freedom and the extension of others’ freedom, they are all deeming good both the extension and the limitation of both their own and others’ freedom.**

#### Only a collective will that can have power over individuals can guarantee the enforcement of good maxims. Thus, the standard is consistency with the categorical imperative.

#### Only the categorical imperative can motivate action - it’s external to wills of agents so it can obligate them all to follow certain rules - unilateral wills fail since they would involve one person coercing other people under their will and there would be no obligation to follow a person

#### Thus, the standard is respecting freedom.

#### Impact calc –

#### 1 - the aff’s not consequentialist - we can only know if the structure of an action is universalizable. Consequences assume that we can predict what happens in the future but that’s impossible – we only have prior knowledge of intentions, so they come first

#### Prefer additionally -

#### Oppression is caused by arbitrary exclusion of others – only universalizability makes sure that include everyone equally. Farr 02

Farr, Arnold. Can a Philosophy of Race Afford to Abandon the Kantian Categorical Imperative? 2002, blog.ufba.br/kant/files/2009/12/Can-a-Philosophy-of-Race-Afford-to-Abandon-the.pdf.

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 empirical 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 individual 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.

#### Advocacy – The member nations of the World Trade Organization ought to reduce intellectual property protections on medicine. Ill defend the resolution as a general principle – Check questions of the advocacy in cx. I’ll defend the reduction of every type of intellectual property including Patents, Trademarks, Copyrights, and Trade Secrets.

#### 1. Universalizability – A) IP is created to encourage innovation but necessarily entails a prevention of innovation through restriction of necessary prior knowledge and B) In attempting to allow freedom, it restricts it. **Pievatolo 10,** Pievatolo, Maria. “Freedom, Ownership and Copyright: Why Does Kant Reject the Concept of Intellectual Property?” *Freedom, Ownership and Copyright: Why Does Kant Reject the Concept of Intellectual Property?*, 7 Feb. 2010, bfp.sp.unipi.it/chiara/lm/kantpisa1.html. SJEP

In the Metaphysics of Morals, Kant seems to take for granted that the objects of real rights are only corporeal entities or res corporales: «Sache ist ein Ding, was keiner Zurechnung fähig ist. Ein jedes Object der freien Willkür, welches selbst der Freiheit ermangelt, heiß daher Sache (res corporalis)». [32](http://bfp.sp.unipi.it/chiara/lm/kantpisa1.html#ftn.id2478823) Theoretically, however, such a negative definition could have been appropriate to incorporeal things as well. According to Kant, the rightful possession of a thing should be distinguished from its sensible possession. Something external would be rightfully mine «only if I may assume that i could be wronged by another's use of a thing even though I am not in possession of it» (AA.06 [245:13-16](http://virt052.zim.uni-duisburg-essen.de/Kant/aa06/245.html)). The rightful possession is an intelligible, not sensible, relation. I can claim that my bicycle is mine only if I am entitled to require that nobody takes it even when I leave it alone in the backyard. Kant's theory of property is very different from Fichte's principle of property as explained in his 1793 essay, according to which we are the rightful owners of a thing, the appropriation of which by another is physically impossible. For this reason, according to Fichte, the originality of the exposition entitles an author to claim a rightful property on his work. Is it really so obvious that originality implies property? Property is a comfortable social convention that allows us to avoid to quarrel all the time over the use of material objects. It is so comfortable just because it is physically possible to appropriate things; we do not need to invoke property when something cannot be separated from someone. I say both that my fingerprints or my writing style are "mine" and that my bicycle is "mine". But these two "mine" have a different meaning: the former is the "mine" of attribution; the latter is the "mine" of property. The former can be used to identify someone, and conveys the historical circumstance that something is related exclusively to someone; the latter points only to an accidental relation with an external thing, if we consider it from a physical point of view. It is possible to lie on a historical circumstance, by plagiarizing a text, i.e. by attributing it to a person who did not wrote it. However, properly speaking, no one can "steal" the historical connection between "my" writing style and me: the convention of property is useless, in this case. Besides, if Fichte's principle were the only justification of property right, it would undermine the very concept of it: as it is physically possible to "attribute" my bicycle to another, when I leave it alone in the backyard, everyone would be entitled to take it for himself. As Kant would have said, a legal property right cannot be founded on sensible situations, but only on intelligible relations. Although he defines things as res corporales, Kant determines the rightful possession of a thing as a possession without detentio, by ignoring all its sensible facets. Such a possession - a possession of a thing without holding it - is exerted on an object that is "merely distinct from me", regardless of its position in space and time. Space and time, indeed, are sensible determinations and should be left out of consideration. According to the postulate of practical reason with regard to rights, property is justified by a permissive law of reason: [33](http://bfp.sp.unipi.it/chiara/lm/kantpisa1.html#ftn.id2533469) if a rightful possession were not possible, every object would be a res nullius and nobody would be entitled to use it. Kant implicitly denies that a res nullius can be used by everyone at the same time. His tacit assumption suggests that the objects of property, besides being distinct from the subjects, are excludable and rivalrous as well, just like the res corporales. Kant asserts that something external is mine if I would be wronged by being disturbed in my use of it even though I am not in possession of it (AA.6, [249:5-7](http://virt052.zim.uni-duisburg-essen.de/Kant/aa06/249.html)). If property is a merely intelligible relation with an object that is simply distinct from the subject, we have no reason to deny that such an object might be immaterial as well, just like the objects of intellectual property. Why, then, does Kant refrain from using the very concept of it? According to him, a speech is an action of a person: it belongs to the realm of personal rights. A person who is speaking to the people is engaging a relationship with them; if someone else engages such a relationship in his name, he needs his authorization. The reprinter, as it were, does not play with property: he is only an agent without authority. Speeches, by Kant, cannot be separated from persons: he has seen the unholy promised land of intellectual property without entering it. According to Kant, before the acquired rights, everyone has a moral capacity for putting others under obligation that he calls innate right or internal meum vel tuum (AA.06, [237:24-25](http://virt052.zim.uni-duisburg-essen.de/Kant/aa06/237.html)). The innate right is only one: freedom as independence from being constrained by another's choice, insofar it can coexist with the freedom of every other in accordance with a universal law. Freedom belongs to every human being by virtue of his humanity: in other words, it has to be assumed before every civil constitution, because it is the very possibility condition of law. Freedom implies innate equality, «that is, independence from being bound by others to more than one can in turn bind them; hence a human being's quality of being his own master (sui iuris), as well as being a human being beyond reproach (iusti) since before he performs any act affecting rights he has done no wrong to anyone, and finally his being authorized to do to others anything that does not in itself diminish what is theirs, so long as they do not want to accept it - such things as merely communicating his thoughts to them.» (AA.06, [237-238](http://virt052.zim.uni-duisburg-essen.de/Kant/aa06/237.html)) [34](http://bfp.sp.unipi.it/chiara/lm/kantpisa1.html#ftn.id2533617) In spite of his intellectual theory of property, [35](http://bfp.sp.unipi.it/chiara/lm/kantpisa1.html#ftn.id2533628) Kant does not enter in the realm of intellectual property for a strong systematic reason. Liberty of speech is an important part of the innate right of freedom. It cannot be suppressed without suppressing freedom itself. If the ius reale were applied to speeches, a basic element of freedom would be reduced to an alienable thing, making it easy to mix copyright protection and censorship. [36](http://bfp.sp.unipi.it/chiara/lm/kantpisa1.html#ftn.id2533656) Property rights are based on the assumption that its objects are excludable and rivalrous and need to be appropriated by someone to be used. We cannot, however, deal with speeches as they were excludable and rivalrous things that need to be appropriated to be of some use, because excluding people from speeches would be like excluding them from freedom. Therefore, Kant binds speeches to the persons and their actions, and limits the scope of copyright to publishing, or, better, to the publishing of the age of print: the Nachdruck is unjust only when someone reproduces a text without the author's permission and distributes its copies to the public. If someone copies a book for his personal use, or lets others do it, or translates and elaborates a text, there is no copyright violation, just because it is not involved any intrinsic property right, but only the exercise of the innate right of freedom. The boundary of Kant's copyright is the public use of reason, as a key element of a basic right that should be recognized to everyone. Kant does not stick to the Roman Law tradition because of conservatism, but because of Enlightenment.

#### 2. Means to an End – Property rights on medicine use individuals suffering from disease or injury as a means for the owners of medicine to make as much profit as possible. This is a direct violation since property owners use their freedom to leverage the life of another agent for their own gain, rather than considering all agents ends that we ought to relieve our instrumental goods for.

Hale 18, Zachary A. Hale, “Patently Unfair: The Tensions Between Human Rights and Intellectual Property Protection”, 04/04/18 THE ARKANSAS JOURNAL OF SOCIAL CHANGE AND PUBLIC SERVICE [https://ualr.edu/socialchange/2018/04/04/patently-unfair/] AHS//NPR

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. A. Intellectual Property Protection and the Right to Culture The pursuit of traditional knowledge protection through standards of intellectual property is illustrative of how notions of human rights have informed actors on the contemporary international stage. The inclusion of intellectual property protection in global agreements on economic, social, and cultural rights has enabled indigenous populations to speak of a right to protection of their cultural heritage.[34] Though this claim is defensible (and, in some iterations, compelling), it is dangerous as the basis of protection in the realm of intellectual property. If we accept Kal Raustiala’s assertions that, “[a]lmost all intellectual property rights are government-granted monopoly rights,”[35] and that, “existing normative theories of intellectual property seek, among other things, to strike a balance between the public domain and private monopolies,”[36] then we must interpret these communities’ claims to intellectual property rights in relation to the place of traditional knowledge in the public domain. Essentially, intellectual property protections like patents serve to legally remove an innovation, created in the medium of previous public knowledge, from the public domain. However, in the case of traditional knowledge concerns, such as agricultural methods and herbal medicine, this removal is necessarily temporary.[37] Thus, the protection of intellectually based components of cultural heritage is not comparable to the more permanent defense that the United Nations Educational, Scientific, and Cultural Organization[ZH1] provides for historical landmarks. Instead, patents provide a temporary protection for certain information with regards to markets and trade law. The danger here does not lie solely in the theoretical threat it poses to a healthy, creative public domain, but in the aggressive misappropriation of this knowledge at the hands of powerful forces outside the concerned community. Thus, though the argument for the protection of traditional knowledge is born of and framed in ideas of human rights, it runs the risk of taking essential elements of traditional culture out of the public domain and allowing for harmful monopolies akin to those we see in the fields of agriculture and healthcare. B. Intellectual Property and Violations of the Right To Food In the developing nations of the world, access to affordable food is hindered by strict protection of genetically modified seeds, [38] and harmed by the act of biopiracy.[39] This pair of issues reveals two different directions from which intellectual property protection in the agricultural sector can affect human rights. The enforcement of patents on genetically modified organisms keeps various seed prices prohibitively high for rural actors in poor nations, preventing access to resilient crop strains that could supplement production in periods of drought. This represents a structural exclusion of an entire class of agricultural actors. The act of biopiracy, on the other hand, is an aggressive act of systematic inclusion, by which multinational corporations steal agricultural practices and products of indigenous populations and exploit them via intellectual property protection (think of the Texas based RiceTec acquiring a patent on a traditionally Indian strain of Basmati rice).[40] Both of these practices have attracted criticism from non-governmental organizations and members of developing communities, but the legal efforts to prevent them are almost always overcome by the robust international system of intellectual property protection. This tide may be changing, however, as the United Nations Special Rapporteur on the right to food recently identified the application of intellectual property protection to agricultural products as a significant threat to the right to food, especially in developing countries.[41] C. Intellectual Property Protection and the Right to Health The harmful effect of strict patents on life-saving pharmaceuticals is the most visible structural violence perpetrated by the international intellectual property system. Even those not informed in the particulars of patent law can see the injustice in allowing millions of preventable deaths in the name of protecting massive pharmaceutical companies. The clear and offensive moral implications of this particular strain of intellectual property protection have led multilateral organizations to approve of relaxation in the case of essential medicines.[42] Both the United Nations Special Rapporteur on the right to health and the United Nations Special Rapporteur in the field of cultural rights have alerted the international community to the tensions between exclusive production and essential public access.[43] Additionally, the Global Commission on HIV and the Law has called upon the United Nations to develop a special intellectual property regime to regulate the protection of medicines in a way that protects human rights.[44] The ability of patent-holding corporations to demand high prices for protected innovations has created avoidable public health crises around the world, and the current work towards improving this situation is challenged by agreements that aim to strengthen rather than relax international intellectual property protections. While pharmaceutical patent protection creates the most significant threats to fundamental human rights, it has also been the site of some of the most promising ideas for intellectual property reform.[45] The following section will explore alternative approaches to intellectual property protection that could expand access to technology and ensure the enjoyment of all human rights.

#### And, your free-riding turns make no sense. Absolute protection on patents allows free-riding and stifles scientific growth

**Vethan Law Firm 16,** (Vethan Law, 11-14-2016, accessed on 9-12-2021, Info.vethanlaw, "Free Rider Problem: What Is IP and the Problem of Free Riding?", https://info.vethanlaw.com/blog/intellectual-property-what-is-ip-and-the-problem-of-free-riding)

The free rider problem found in intellectual property protection is that owners of patents, overly supported by the judicial and legislative branches, believe their patents provide them absolute rights. This can create a free rider problem because patents are not developed in a vacuum outside of the flow of history or the allocation of resources. Many patent owners, by virtue of “standing on the shoulders of giants," free ride on resources, goods or services for which they have not paid. Fundamental scientific discoveries such as the principles of internal combustion, general and special relativity, the double-helix structure, and binary code were never patented; the famous scientists behind them never “monetized” in the current parlance. New inventors know this, and craft their patent strategies accordingly. The cumulative result of this is an “under-provision of those goods and services,” i.e. work in basic science, or the kind of work that falls outside of patentable subject matter. There is an accompanying over-eagerness to secure patent rights as though they conferred worth in and of themselves, rather than merely striking the right monopoly vs. novelty balance necessary to foster innovation. Too often, this comes even at the expense of determining whether the patented article or process will be otherwise legally compliant, or profitably marketable!

#### 3. Kingdom of Ends – A) Intellect – the intellectual realm is a public good because no agent has special access to it, which means cornering off aspects of it for ownership is incoherent, since non-naturalism entails an equal accessibility to the realm of ideas, individuals cannot claim to own a portion of that realm B) Medicine – Medicine specifically is a necessary good that an agent in a kingdom of ends would never claim ownership over, because it is necessarily required for an agent to exist. In the same way no agent would allow for an individual to have ownership over the chemical compound that comprises water, no agent would allow for ownership of medicinal properties.

#### And, your property rights libertarianism turns are incoherent: A) Logic – it’s impossible for an individual to claim ownership over a non-natural property because the protections of property requires a good to be protected. You cannot ensure another agents doesn’t steal an idea since the idea exists purely metaphysically in the realm of ideas B) Creationism – Property rights are based on the notion of an individual mixing a unique aspect of themselves with a physical property that justifies a deserving of ownership, but intellectual property is not created by individuals, but rather, is discovered. That means we’d be providing arbitrary ownership of an idea to an agent that didn’t create it.

# Underview

#### [1] Interpretation – The negative must concede the affirmative framework or contention level offense. It’s preemptive, you violate by reading turns or defense to my offense and reading an alternative framework. Prefer – 1. Strat skew – A) It’s impossible for the 1AR to win both layers of framing and offense when you can frame me out and read a bunch of turns to the aff making the round impossible in 4min – especially since the 2n can collapse on either the framework or the contention for 6 minutes B) Neg reactivity advantage, aff disclosure, and 1n time allocation means they can craft a perfect 1nc – conceding one layer of substance solves since it gives me weighing recourse and strategic 1ar maneuvers without having to brute force both. 2. Depth of Clash – We pick and choose whether to debate offense or framework and when, which means we have more discussion of each one every round. Depth o/w since reading 1 page of 100 different books is useless and superficial. Breadth is solved across multiple rounds when people choose a different layer in each. And, hijacks solve all your offense since they contest both the framework and the offense, while maintaining the 1ar ability to win substance.

#### [2] No 2N theory arguments and paradigm issues – A. All the paradigm issues were in the aff which means any 2n argument is new and can’t be evaluated B. 6-3 skew means you’ll always overwhelm the 2AR. AFF fairness issues come prior to NC arguments A. The 1AR can’t engage on multiple layers if there is a skew since the speech is already time-crunched B. Sets up an invincible 2N since there are a million of unfair things to which you collapse win every round.

#### [3] The role of the ballot is to vote for the debater who proves the truth or falsity of the resolution. Prefer:

#### [a] Textuality – “affirm” is defined as

#### Merriam Webster, ND (no date, 9-25-2021, No Publication, Definition of AFFIRM, https://www.merriam-webster.com/dictionary/affirm)//st

#### : to assert (something, such as a judgment or decree) as valid or confirmed

#### and “negate” is

#### Merriam Webster, ND (no date, 9-25-2021, No Publication, Definition of NEGATE, https://www.merriam-webster.com/dictionary/negate)//st

#### : to deny the existence or truth of

#### which means A. The judge is only in their jurisdiction to vote on arguments that either affirm or negate the resolution. B. Even if you win another ROB is more pragmatic, it’s incoherent to change the rules of the activity in the middle of the round.

#### [b] Ethics – “ought” is defined as

#### Merriam Webster, ND (no date, 9-25-2021, No Publication, Definition of OUGHT, https://www.merriam-webster.com/dictionary/ought)//st

#### : moral obligation : DUTY

#### so the resolution can only be proven true or false through an ethically justified framework. Two implications: A. Your ROTB must guide action for all agents at all times and not just work for a subset, otherwise it isn’t sufficient to generate moral obligations B. Reject impact justified frameworks because they are circular and cannot generate moral obligations without proving why we should follow the standard.

#### [c] Collapses – all statements collapse to truth value; saying “I am hungry” is the same as saying “it is true that I am hungry.” – which means you think it is true we should use your role of the ballot which concedes ours.

#### [d] Safety – other ROB open up the lives of personal debaters by taking pre-fiat factors into account – only truth testing solves by being grounded in a textual analysis of the resolution

[4] Yes fairness

#### [a] Constitutiveness – All argumentation presupposes fairness that the judge won’t hack for either side. You can’t impact turn this – because you rely that the judge won’t hack for me which means you implicitly value fairness. Just like hacking is against the rules, so too is not defending the topic.

#### [b] Evaluation – Judges can’t evaluate the round if skewed, just like an official allowed an athlete on steroids into a competition. If the judge can’t evaluate the aff fairly it means you don’t get access to the impacts because they aren’t ever evaluated on the same field.

#### [c] Accessibility – Unfair activities cause people to quit. The circuit is already inaccessible to countless minority groups and a method of inclusion is best. This turns case – you’re making the debate space worse for minority novices which o/w because it precludes future engagement and anti-racism.

#### [d] Truth testing – If the affirmative can’t be evaluated fairly then we don’t know the truth value of any of the claims. If a student cheated on a test, we wouldn’t treat the results as legitimate because they engaged in a way antithetical to the rules of the activity.