

I negate the resolution: The member nations of the World Trade Organization ought to reduce intellectual property protections for medicines.

First, Permissibility and presumption negate – Statements are more often false than true because any part can be false – outweighs on probability. This means you negate if there is no offense because the resolution is probably false.

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] Action theory

Only evaluating action through reason solves since reason is key to evaluate intent, otherwise we could infinitely divide actions. For example: If I was brewing tea, I could break up that one big action into multiple small actions. Only our intention, to brew tea unifies these actions if we were never able to unify action, we could never classify certain actions as moral or immoral since those actions would be infinitely divisible

[D] Constitutive 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.

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

Next, practical reason means we all have a unified perspective: What can be justified to me can be justified to everyone who is a practical reasoner. Ethics must be universalizable:

A) absent universal ethics, morality becomes arbitrary and fails to guide action, which means that ethics is rendered useless,

B) otherwise it creates a contradiction in which you justify your freedom while limiting others'

Thus the standard is consistentcy with the categorical imperative.

Prefer additionally:

1] Performativity—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

a) All frameworks assume liberty to be coherent – for example, if someone holds a gun to my head and makes me steal someone's apple, I am not truly culpable because I wasn't free.

b) Freedom is a necessary prerequisite to moral action – we must have the capacity to set and maintain ends, else we cannot achieve ends even if it were feasible. Freedom is consistent with practical reason because we must have the freedom to reason.

c) Making and presenting arguments concedes the authority of freedom – without setting and pursuing our own ends, we wouldn't be able to debate.

2] Consequentialism fails - a] induction fails: the logic of looking into the past to predict the future is predicated on past experiences, meaning it's circular, b] butterfly effect: every consequence is infinitely cascading so we don't know the true extent of our actions, meaning we cannot predict consequences

Contention 1: The aff violates Kant's philosophies in countless ways.

A) **The aff violates the categorical imperative and is non-universalizable- governments have a binding obligation to protect creations**

Van Dyke 18 Raymond Van Dyke, 7-17-2018, "The Categorical Imperative for Innovation and Patenting," IPWatchdog, <https://www.ipwatchdog.com/2018/07/17/categorical-imperative-innovation-patenting/id=99178/> SJ//DA recut SJKS

As we shall see, applying **Kantian logic entails first acknowledging some basic principles; that the people have a right to express themselves, that that expression (the fruits of their labor) has value and is theirs (unless consent is given otherwise), and that government is obligated to protect people and their property. Thus, an inventor or creator has a right in their own creation, which cannot be taken from them without their consent.** So, employing this canon, **a proposed Categorical Imperative (CI) is the following Statement: creators should be protected against the unlawful taking of their creation by others. Applying this Statement to everyone, i.e., does the Statement hold water if everyone does this, leads to a yes determination. Whether a child, a book or a prototype, creations of all sorts should be protected, and this CI stands.** This result also dovetails with the purpose of government: to protect the people and their possessions by providing laws to that effect, whether for the protection of tangible or intangible things. **However, a contrary proposal can be postulated: everyone should be able to use the creations of another without charge. Can this Statement rise to the level of a CI? This proposal, upon analysis would also lead to chaos. Hollywood, for example, unable to protect their films, television shows or any content, would either be out of business or have robust encryption and other trade secret protections, which would seriously undermine content distribution and consumer enjoyment.** Likewise, inventors, unable to license or sell their innovations or make any money to cover R&D, would not bother to invent or also resort to strong trade secret. Why even create? This approach thus undermines and greatly hinders the distribution of ideas in a free society, which is contrary to the paradigm of the U.S. patent and copyright systems, which promotes dissemination. By allowing freeriding, innovation and creativity would be thwarted (or at least not encouraged) and trade secret protection would become the mainstay for society with the heightened distrust.

B) The aff encourages free riding- that treats people as means to an end and takes advantage of their efforts which violates the principle of humanity

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Also, allowing the free taking of ideas, content and valuable data, i.e., the fruits of individual intellectual endeavor, would disrupt capitalism in a radical way. The resulting more secretive approach in support of the above free-riding Statement would be akin to a Communist environment where the State owned everything and the citizen owned nothing, i.e., the people “consented” to this. It is, accordingly, manifestly clear that no reasonable and supportable Categorical Imperative can be made for the unwarranted theft of property, whether tangible or intangible, apart from legitimate exigencies.