I negate. (Resolved: the member nations of the world trade organization ought to reduce intellectual property protections for medicines)

**Reason justifies our abilities to act according to the representation of laws, Gobsch:**

What is reason, and how does it relate to sensibility in a human being? **Reason**, one might begin, **is a capacity to justify judgments**. To judge is to claim to think truly. And to think truly is to think something that is the case. Now, **there is no outside to the totality of that which is the case, the world; being is unbounded**: the form of being cannot be negated, the law of non-contradiction does not apply to it. That means that **being**, that which is the case, **cannot be the object of a limited capacity of representation**; the object of such a capacity could only be being with an index: being as it appears to particular subjects. So the capacity to judge, the intellect, must itself be unlimited or entirely general: νους, as Aristotle puts this, “has no other nature than to be capacity.”2 And because to judge is to claim to think what is the case, one cannot justify judgments through acts of a limited capacity either: one cannot reveal one’s judgment’s content as belonging to being by referring it to an activity incapable of representing being. So **reason**, as a capacity to justify judgments, **must be unlimited**, too. But obviously, there cannot be more than one unlimited capacity. So reason and the intellect are essentially the same. And this is to say, first, that reason is the capacity to justify judgments through acts of the intellect, i.e. through judgments, that it is the capacity to infer, and, second, that it is the only capacity to justify judgments.3

To justify a judgment, to infer it, is to explain why its content is something that is the case: part of the world. But the world has no outside. So in order to explain something’s being the case, one must appeal to what is part of the world, or more precisely—as the world is one cohering whole, and a circle no justification—to everything else that is the case. Yet every something is another something’s other. So every something’s being the case is to be explained in a way that looks to everything else and, thereby, back to that something itself. Now, for something to be explanatorily dependent on another is to be related to it under laws. And for something to be the case is, basically, for a thing to be determined in some way. So **to justify a judgment is**, basically, **to explain why** the thing that is the subject of **its content is determined the way it is through its activity according to the laws** (under which it falls in virtue of its definition) **that relate it to the activities of all other things** (in virtue of their definitions). Laws can only play this role in justification, if they constitute the form of the world. And because the form of the world cannot be negated, **laws** cannot be conceived of as merely induced from what happens to be the case; they **must be conceived as articulating a necessity that is prior to mere actuality**, or as Kant puts it: there is “necessity [. . .] thought in every law, namely objective necessity from a priori grounds.”4

**Reason**, then, **is the power to represent laws**. Now, rational beings are beings, too: they exist in the world. So **to exist as a rational being is to exist through representing laws**, or as Kant puts it: **Everything in nature acts according to laws. A rational being alone has the capacity to act from the representation of laws**.5 This holds for both human beings and merely prudentially rational animals alike, should these be possible at all. The laws from the representation of which a being of the latter sort would act would not be the laws that explain why it acts at all: **although** such **a being would act from the representation of laws, there would always be laws that govern the activity that constitutes its existence** that would not themselves be represented in this very activity as the laws from which it acts. In a merely prudentially rational animal, reason, in representing laws, would only serve to direct the animal’s practical activity toward the realization of its happiness—the most complete satisfaction of its desires throughout the whole of its existence—, while the very actuality of this activity itself would not be due to reason, but to sensible desire. Although such a being would essentially act with reason, reason itself would remain entirely theoretical for it.

In us human beings, however, pure reason is of itself practical, if all goes well: ideally, the laws from the representation of which we act are therein known by us to be the laws that explain why we act at all.6 They are practical laws. Thus defined, **a practical law is a self-applying law**: its application in the activity that constitutes a human being’s existence does not, if all goes well, have conditions the satifaction of which could possibly remain to be explained by other laws. So it cannot be hypothetical, it will be categorical: **it will be law in virtue of no other law**. As law, however, it will govern belonging in the totality that has no outside, the world. So there can only be one such law.7 In its necessary singularity, this law, then, is lawness itself, reason; or as Kant puts it: “**pure reason, practical of itself, is** here immediately **lawgiving**.”8

**In human beings, pure reason**, if all goes well, **determines itself to be practical** or will, the power the object of which is the good: that which is to be. Therein, **reason gives itself as law to itself**. Kant calls the practical law thus given the moral law.9 **As the moral law is given to reason itself, reason is**, qua will, **autonomous and** in this sense **free**, or as Hegel puts it: “The abstract concept of the Idea of the will is in general the free will which wills the free will.”10 So **to act in accordance with the moral law**—to be free in the positive sense of autonomy, and that is: to exist as a human being—**is**, in the first instance, **to act in such a way as to therein constitute and preserve oneself as acting for the sake of the moral law alone**; it is to act in such a way as to make it the case that one’s acting in this way is explained by nothing other than one’s consciousness of this very law.

Gobsch, Wolfram. "The Idea of an Ethical Community: Kant and Hegel on the Necessity of Human Evil and the Love to Overcome It." Philosophical Topics 42.1 (2014): 177-200.

**But, humans aren’t merely rational, we also have sensible desires that we use reason to act upon. Gobsch 2:**

To act as a human being is to actualize pure reason, if all goes well. But **no human being is pure reason. Human** being**s are** rational animals. So they are animals, **sensible organisms**, too. **Sensibility is a** receptive capacity of representation: a **capacity to represent objects through being affected by them**. Affection happens at a time and a place. So sensible organisms are spatiotemporal beings. And **affection depends on the existence of its object**. So sensibility is a capacity whose actualization has conditions the satisfaction of which cannot be the work of this capacity itself. Therefore, sensibility is limited by whatever else satisfies these conditions. And so it is a particular capacity, a capacity with a specific form. But if a capacity of representation is limited and particular, then its object—the content of its act in general—must be limited and particular, too: its object cannot be that which is, simply as such. It is for this reason that **sensibility differs infinitely from reason**, the unconditioned capacity, and that **no sensible organism can be pure reason**, so that the definition of a human being unites reason and sensibility as two distinct determinations.

To exist as an animal is, typically, to be engaged in sensible activity.11 So although human beings exist, if all goes well, through actualizing pure reason, **sensibility will have to play a role in their rational practical activity. A merely prudentially rational animal**, should such a thing be possible at all, **would be determined to act by sensible desire**. Reason would merely serve to direct it toward happiness. In a human being, however, reason is, if all goes well, of itself practical. And so the role of sensible desire cannot be that of the determinant, the motor, of human practical activity. As the activity of a rational animal, human activity, too, is oriented toward happiness. But **the subjective principles of a human being’s practical activity**, principles which, as such, determine the manner in which its orientation toward happiness becomes practical, are acts of free choice: **acts of a capacity to “be determined to actions by pure will**,”12 maxims, as Kant calls them. As conditioned by the moral law, **such maxims presuppose their subject’s acknowledgment of [their]**her **own happiness as prima facie good: as to be pursued at all in the activity of pure reason.**13 In this acknowledgment, a human being constitutes herself as a person: as individualized pure reason, as a particular manifestation of the moral law. Through her maxims, a person, a human being as a particular manifestation of pure reason, determines the character of her pursuit of happiness. And so it is **in [their]**her **maxims**, her acts of free choice, **a human being rationally displays [their]**her **sensible nature**: the individuality and finitude that make her an animal.

Gobsch, Wolfram. "The Idea of an Ethical Community: Kant and Hegel on the Necessity of Human Evil and the Love to Overcome It." Philosophical Topics 42.1 (2014): 177-200. [bracketed to avoid gendered language]

Thus, the standard is consistency with the ethical community. Prefer additionally:

#### **1. Freedom is actualized through participation within an ethical community**

**Wood 90**, Allen W. *Hegel’s Ethical Thought.* Cambridge University Press. 1990. NP 3/29/16.

We often hear that Hegel's ethical thought is oriented more toward society than toward the individual. There is a foundation in reality for saying this. Hegel's Philosophy of Right belongs to "objective" rather than "subjective" spirit: Hegel's ethical system is a theory of rational social life rather than a theory of individual conduct. But probably its chief foundation is Hegel's belief that **rational individuals actualize their freedom most fully when they participate in a state** (PR § 258). Like utilitarianism, Hegel's ethical theory tells individuals to devote themselves to the good of society, not solely to their own private good. But utilitarianism treats the social good as a simple sum of individual goods; Hegel thinks of it in terms of a certain institutional structure that is a "universal end," valuable in itself and not merely as a means to the good of individuals. That is doubtless one reason why Hegel's ethical theory culminates in the description of a rational social order, and not in an account of the good life for an individual or a doctrine of duties for the regulation of our private lives. Nevertheless, **the developmental structure of the theory presented in the Philosophy of Right is dictated not by collective ends but by** a certain concep­ tion of the modern human individual - or, more accurately, **a system or de­ veloping series of such conceptions. It is this system of self-images**, together **with the necessary forms of activity corresponding to it, that founds the com­ plex system of social institutions constituting the Hegelian rational state. The rational state is an end** in itself only **because the highest stage of individual self-actualization consists in participating in the state and recognizing it as such an end**. This means that **Hegel's ethical theory is** after all **founded on a conception of individual human beings and their self-actualization. Even the state's rationality is grounded on the fact that the individual will is actual­ ized through participating in it and contributing to it as a universal end.** In that sense, Hegel's ethical thought is oriented to the individual, not the collective. We can see this in Hegel's procedure in the Philosophy of Right. This book is a fuller version of the science of "objective spirit," part of the third volume of Hegel's Encyclopedia of Philosophical Sciences (EG §§ 483-552). As in the Encyclopedia, the Introduction to the Philosophy of Right presents a phil­ osophical propaedeutic to objective spirit (PR § 2) drawn from Hegel's treat­ ment of the will or "practical spirit" (EG §§ 469-482), which is the final stage in the development of "subjective spirit," of individual psychology (EG §§ 387, 440). Hegel's discussion of "the free will" in the Introduction deals with the human individual as a rational agent whose freedom is to be actual­ ized.

#### **2. Actualization of individuals can only occur by placing them within society – the person alone is an incomplete picture of the subject**

**Wood 90**, Allen W. *Hegel’s Ethical Thought.* Cambridge University Press. 1990. NP 3/29/16.

**The person and** the **subject are** abstractions, **incomplete** or one-sided **images of the individual human self, which are overcome only when individuals are considered in relation to "ethical life"** (Sittlichkeit). **Hegel identifies ethical life with "the objective ethical order"** (PR § 144), the "ethical substance," **to which particular individuals relate as "accidents"** (PR § 145). It is above all in his conception of ethical life that Hegel seems to assert the primacy of the social over the individual. But we have just seen that free subjectivity itself is the distinctive principle of modern ethical life. **Ethical life is more concrete than abstract right and morality** not because it emphasizes the collective over the individual, but **because the ethical image of the individual** is a more con­ crete one. It **addresses every side of the individual self, and situates the self in a living social order.**

**3. Bindingness: In order for an ethic to be binding, it has to explain both where the principles come from, how they are actualized in the real world, and why we are motivated to follow them. Only my framework explains that because Hegel takes into account the infinite nature of the subject, its reason, and its limited capacities with the world around it, its sensibility.**

**4. Performativity: Our ability to debate is due to our self-legislation and free choice, as it allows you to choose what you want to do. This is only possible through our two-pronged subjectivity, made of rationality and subjectivity because, without it, we would not have the ability to act on anything. This outweighs because it’s a prerequisite to everything in this round. Without freedom, we couldn’t have this debate.**

Now negate:

**The actualization of our will occurs through intellectual property, Moore and Himma:**

Personality theorists such as Hegel maintain that **individuals have moral claims to their own talents**, feelings, character traits, **and experiences. We are self-owners** in this sense. **Control over physical and intellectual objects is essential for self-actualization—by expanding our selves outward** beyond our own minds **and mixing** these selves **with tangible and intangible items, we** both **define ourselves and obtain control over our goals** and projects. For Hegel, **the external actualization of the human will requires property** (Hegel 1821). Property rights are important in two ways according to this view. First, **by controlling and manipulating objects**, both tangible and intangible, **our will takes form in the world and we obtain a measure of freedom**. Individuals may use their physical and intellectual property rights, for example, to shield their private lives from public scrutiny and to facilitate life-long project pursuit. Second, **in some cases our personality becomes fused with an object**—thus **moral claims to control feelings**, character traits, **and experiences may be expanded to intangible works** (Humboldt 1792; Kohler 1969).

Moore, Adam, and Ken Himma. “Intellectual Property.” Stanford Encyclopedia of Philosophy, Stanford University, 10 Oct. 2018, plato.stanford.edu/entries/intellectual-property/. Valley JS

**Property is necessary for the development of personhood, Priya:**

**Property rights**, it was observed, **are a means to protect the** personality interest or **“personhood” of individuals**; this seemed especially true with intellectual property rights that are draped over creations of the human mind.

The personhood theory of property focuses on the relationship between property and personality. **Property**, it is argued, **is justified because it is** conducive, perhaps **necessary, to the development of personality**.3 Personhood theory has been characterized as an alternative theory of property in the sense that the analysis is, to some extent, outside the mainstream of judicial, if not philosophic, thought.4.

Individuals in communal societies often have their interest in preservation well cared for as long as they fit the group’s conception of the good. **If**, however, **[individuals]** they **want to diverge from [a]**the **communal program** and venture out on their own path, **or express their own individuality, private property will facilitate that venture**. Kant, and later Hegel, saw this, the notion that **respecting private property is important for respecting personhood**.5

This alternative philosophy of property and its relationship to personality independent of natural rights or utilitarian justifications was developed by Hegel in the early nineteenth century, based on his conceptions of will, freedom, and personhood.6 Hegel believed that **each person has both an internal and an external existence**. One’s internal existence is her will, and one’s external existence is her sphere of freedom. Hegel stressed the importance of self-actualization, or the lack of dependence on another. However, **self-actualization and the extension of one’s sphere of freedom are achieved**, in Hegel’s view, not by withdrawing from the external world but rather **by** “overcoming it,” or **putting one’s will into** external objects - into **property**. Property, then, is central to Hegel’s theory of the fully selfactualized free person; it is the essence of personality.

Priya, Kanu. "Intellectual Property and Hegelian Justification." NUJS L. Rev. (2008): 359. [bracketed for grammatical clarity] Valley JS

Thus you negate.

Prefer additionally:

1. Reduce means to decrease the volume and concentrate the flavor of by boiling [Merriam-Webster]. Intellectual property protections are a concept and can’t be boiled off, so the resolution is incoherent.
2. Member is defined as a body part or organ [Merriam-Webster]. Body parts aren’t recognized as nations, so they can’t enact the resolution and the rez is incoherent.
3. For is used as a function word to indicate equivalence in exchange [Merriam-Webster]. Means the resolution is incoherent, intellectual property protections can’t be exchanged to get medicines because they don’t have a monetary value.
4. To is used as a function word to indicate movement or an action or condition suggestive of movement toward a place, person, or thing reached [Merriam-Webster]. Reduce is a verb and cannot be moved towards, so the resolution is an impossibility so you auto-negate because it’s false.
5. Neg definition choice – the aff should have defined in the 1ac because it was in the rez so it’s predictable contestation, by not doing so they have forfeited their right to read a new definition – kills 1NC strategy since I premised my engagement on a lack of your definition.
6. Presumption and permissibility negate. a) if i said my name was rick astley you won’t believe me, b) there are more reasons why a statement might not be true than ones that directly prove the statement true. Permissibility flows neg because the aff has the burden to prove that the member nations of the wto ought to reduce intellectual property protections. In addition, permissibility negates because if we don’t know the permissibility of an action, it’s better to err on the side of caution and not do it. Thus, proving permissibility, which is distinct from obligation negates.
7. The ROTB is TT - A) Isomorphism: alternative RTBs aren’t binary win/loss, and thus cannot function in debate B) Constitutivism: the ballot and tab software presents decisions as aff/neg, not who best achieves some good value. Also, “affirm” is “To state that is true” [1] and negate is “to deny the existence or truth of”, which independently proves truth testing. C) Key to 1) Ground Parity: The wording committee and topic selection process exist to identify topics with a range of defensible arguments on both sides, “role of the ballot” claims can frame the round in ways that make my ground either absurd or morally abhorrent 2) Predictability: The only face value of a resolution is its truth or falsity as a statement – not some inherent other framework

Turns:

**IPRs allow indigenous peoples to own their knowledge,**

**Ng’etich:**

The managerial issue relates to the question of creating ownership rights over indigenous knowledge resources that will ensure appropriate rewards to innovators, and thereby maximize future innovations. The concern is based upon the belief that the increasing poverty of indigenous populations is leading them to undertake activities that erode biodiversity. If, therefore, they received material benefits in exchange for their stewardship of genetic materials, the decline would be halted. **Intellectual property rights**, therefore, **can** simultaneously **satisfy the ethical** and managerial **dilemma**s **created in the extraction of indigenous medical resources** because **once indigenous populations possess formal ownership rights, they should be able to negotiate rules of access and use, fees, and royalties with other interested parties.**

Preservationist issues arise in terms of long term management and protection of existing indigenous knowledge resources. **The guarantee of ownership rights to indigenous peoples would also safeguard the future of indigenous knowledge, thus helping resolve preservation issues**. This is because **as** beneficiaries and **owners of knowledge, the indigenous people will strive to protect indigenous knowledge resources.**

Ng’etich, Kibet A. "Indigenous knowledge, alternative medicine and intellectual property rights concerns in Kenya." 11th General Assembly Maputo, Mozambique (2005): 6-10.

**And, indigenous peoples are currently filing for ip protection,   
Wendland:**

**Indigenous intellectual property includes the information, practices, beliefs and philosophy that are unique to each indigenous culture. Once traditional knowledge is removed from an indigenous community, the community loses control over the way in which that knowledge is used**. In most cases, this system of knowledge evolved over many centuries and is unique to the indigenous peoples’ customs, traditions, land and resources. **Indigenous peoples have the right to protect their intellectual property, including the right to protect that property against its inappropriate use or exploitation**. Similarly, **indigenous peoples are seeking to protect**ion **their traditional knowledge and practices from commercial exploitation**. As science and technology advance while natural resources dwindle, **there is increased interest in appropriating indigenous knowledge for scientific and commercial purposes**. Some research and pharmaceutical companies are patenting, or claiming ownership of, traditional medicinal plants even though indigenous peoples have used such plants for generations. In many cases, these **companies do not recognize the indigenous peoples’ traditional ownership of such knowledge and deprive indigenous peoples of their fair share in the economic, medical or social benefits that accrue from the use of their traditional knowledge or practices**. In recent years, **indigenous peoples have expressed their concerns about these issues in a number of international declarations**, including the Manila Declaration on the World Declaration for Cultural Development (1988), the Kari-Oca Declaration (1992), the Mataatua Declaration (1993), and the Beijing Declaration of Indigenous Women (1995). These concerns were also raised in the Final Statements of the Coordinating Body of the Indigenous Peoples of the Amazon Basin (1994) and indileaflet12.doc 2 the South Pacific Regional Consultation on Indigenous Peoples’ Knowledge and Intellectual Property Rights (1995).

Wendland, Wend. “Leaflet No. 12: WIPO and Indigenous Peoples.” *Office of the United Nations High Commissioner for Human Rights*, No Date, www.ohchr.org/Documents/Publications/GuideIPleaflet12en.pdf.