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Overview

First, presume aff because affirming's harder. Out of over 12000 rounds last year affs won over 7% fewer rounds¹. Prefer stats since there are an infinite number of analytic side bias arguments but stats determine whether they actually end up skewing rounds. Also means that all neg theory must be weighed against side bias because absent weighing between the two the aff abuse is just fairly rectifying for the side bias. And, debaters may only read theoretical presumption arguments; they may not read substantive or textual presumption arguments because they force the burden of proof to one debater, skewing ground and giving that debater a more difficult burden to win. Ground is key to fairness and education since it's the basis of making arguments.

Second, every statement including the resolution includes implicit assumptions, which means the res can be rephrased as a conditional statement for any one of these functioning as the antecedent. Indicting the resolution's assumptions is denying its antecedents, it affirms. **Stanford Philosophy**²,

Conditional statement: an "if p, then q" compound statement (ex. If I throw this ball into the air, it will come down); p is called the antecedent, and q is the consequent. **A conditional asserts that if its antecedent is true, its consequent is also true** any conditional [statement] with a true antecedent and a false consequent must be false. **For** any other combination of true and false antecedents and consequents, **the conditional statement is true.**

At worst denying assumptions triggers presumption since once a statement makes no sense due to its premises being false it's just incoherent.

Next, framing – The burden structure is that the aff must prove property rights are unjust, and the neg must prove that they are just. Prefer the burden structure:

1. Textuality: The resolution is a question of whether private ownership of X, X being handguns, so denying the fundamental tenet of private ownership would in turn deny that private ownership ought to be applied to handguns. "Of handguns" is merely a prepositional phrase, which means that in the context of the resolution, it's not relevant in determining whether you affirm or negate, meaning that if I say that private ownership, and thus property rights, are unjust, then you affirm, since the prepositional phrase means the term "private ownership" can be applied to anything. Textuality is key to fairness and education since otherwise we'd have no way to predictably prepare and have any shot at winning or garnering any in round clash. Textual jurisdiction also determines how the judge votes in the first place since the ballot tells you to affirm or negate, meaning this justification comes first.

2. Ground – A. Absent my burden, the neg can infinitely pic out of any of the aff harms, making it impossible to affirm, since the neg can just craft an advocacy which is trivially true to garner all benefits of the aff without actually getting any unique offense. My burden solves since it's just a question of whether property rights are

¹ <http://vbriefly.com/side-bias/>

² <http://www.stanford.edu/~bobonicha/dictionary/dictionary.html> Abbreviated Dictionary of Philosophical Terminology An introduction to philosophy Stanford University

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good or bad, it's 1:1 and reciprocal, no side has it easier. **B.** If the neg doesn't have to defend an absolute right to property, then the aff's ground is structurally and qualitatively worse, since I'd have to un-reciprocally defend a complete ban, while the neg can just defend some marginal right to guns in some circumstances. The burden solves since aff says property rights bad, neg says property rights good. Crossapply ground from the top of the case.

3. Topic Lit: Most of the gun literature is on property rights. **Openreader**.³

Opponents of gun control laws argue that Americans have the right to bear arms. They say that **gun control** laws **would prevent** **individuals from defending themselves and their property** lawfully. They also support the rights of hunters, sport shooters and recreational gunmen. One of the most common laws that these groups cite is the Second Amendment of **the U.S. Constitution**. This 27-word passage **includes** the famous phrase **"the right of the people to keep and bear arms shall not be infringed."** **The fundamental argument** that gun control opponents make **is that the right to own and use weapons is an undeniable personal freedom** guaranteed by the Constitution.

That means that the question asked by the topic is one weighing the goodness or badness of property rights. So, offense not unique to property rights doesn't link to the burden.

4. Neuroscience proves there's no such thing as free will or choices, so determinism is true and no ethical theory is true since saying something should or shouldn't be the case is incoherent if we cannot alter our actions in accordance with prescription, **Coyne**:

Jerry Coyne, [Professor in the Department of Ecology and Evolution at The University of Chicago], "Why You Don't Really Have Free Will," *USAToday*, January 1st, 2012. SM

And that's what neurobiology is telling us: **Our brains are** simply meat computers that, like real computers, are **programmed by our genes** and experiences to convert an array of inputs into a predetermined output. Recent experiments involving **brain scans show that** when a subject "decides" to push a button on the left or right side of a computer, the **choice can be predicted** by brain activity **at least seven seconds before the subject is consciously aware of having made it.** (These studies use crude imaging techniques based on blood flow, and I suspect that future understanding of the brain will allow us to predict many of our decisions far earlier than seven seconds in advance.) **Decisions** made like that **aren't conscious** ones. And if our choices are unconscious, with some determined well before the moment we think we've made them, then **we don't have free will** in any meaningful sense. Psychologists and neuroscientists are also showing that the experience of will itself could be an illusion that evolution has given us to connect our thoughts, which stem from unconscious processes, and our actions, which also stem from unconscious process. We think this because our sense of "willing" an act can be changed, created, or even eliminated through brain stimulation, mental illness, or psychological experiments. The ineluctable scientific conclusion is that although we *feel* that we're characters in the play of our lives, rewriting our parts as we go along, in reality **we're puppets performing scripted parts** written by the laws of physics.

This isn't a reason my burden structure is true – it's a preemptive reason to reject models of debate such as comparing worlds that entail reading plans or advocacies since it's nonsensical to garner education about policy action if action is deterministic.

5. Private property is central to capitalism, **Ross**:

"How are capitalism and Private Property Related" Sean Ross <http://www.investopedia.com/ask/answers/040615/how-are-capitalism-and-private-property-related.asp>

³ The Controversy of Gun Control. N.d. <http://openreader.org/the-controversy-of-gun-control/> CS

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Private property rights are central to a capitalist economy

its execution and its legal defenses. Capitalism is built on the free exchange of goods and services between different

parties, and nobody can rightfully trade property they do not own. Conversely, property rights provide a legal framework for prosecuting aggression against nonvoluntary means of acquiring

resources; there is no need for capitalist trade in a society where people could simply take from others what they want by force or the threat of force. Private Property, Ownership and Homesteading Contemporary notions of private property

stem from John Locke's theory of homesteading. In this theory, human beings gain ownership of a natural resource through an act of original cultivation or appropriation; Locke used the expression "mixing of labor." For example, if a man discovered an unknown island and began to clear the land and build a shelter, he is considered the rightful owner of that land. Since most resources have already been claimed at some point in history, the modern acquisition of property takes place through voluntary trade, inheritance, gifts or as

collateral on a loan or a gambling wager. Private Property Promotes Economic Efficiency Most political theorists and nearly all economists argue that capitalism is the most efficient

and productive system of exchange. Private property promotes efficiency by giving the owner of resources an incentive to maximize its value. The more valuable a resource, the more trading power it provides the owner of the resource. This is

because, in a capitalist system, someone who owns property is entitled to any value associated with the property. When property is not privately owned, but rather shared by the public, a market failure emerges known as the Tragedy of the Commons. The fruit of any labor performed with a public asset does not belong to the laborer but is diffused among many people. There is a disconnect between labor and value, creating a disincentive to increase value or production. People are incentivized to wait for someone else to do the hard work and then swoop in to reap the benefits without much personal expense. The owners of private property have the right to transfer ownership as they see fit. This naturally cultivates trade between those with different resources and different wants. Since most people want to maximize the value of their trade, competitive bids are accepted to receive the highest exchange value. Owners of a similar kind of resource compete with each other for exchange value. This system of competition creates supply and demand. Consider this simplistic example: someone owns a goat and would rather have chickens. He decides to sell his goat to purchase chickens. All of the sellers of chickens compete for his money, which drives prices lower. He must similarly compete with all other goat sellers when

trading his goat. Private Property and Law The reason humans are willing to compete with each other in voluntary trade is precisely because there

are laws that protect private property. For a person to receive property he believes is valuable, he must provide a service that someone else believes is valuable. Everyone gains in the ex-ante sense.

And interrogating the assumptions of capitalism is important critical and real world education – we need to learn how to make capitalism sustainable, **Gore and Blood:**

11/5/08 <http://www.wsj.com/articles/SB122584367114799137> Al Goore and David Blood "We Need Sustainable Capitalism"

When greeting old friends after a period of absence, Ralph Waldo Emerson used to ask: "What has become clear to you since we last met?" What is clear to us and many others is that market capitalism

has arrived at a critical juncture. Even beyond the bailouts and recent volatility, the challenges of the climate crisis, water scarcity, income disparity, extreme poverty and disease must command our urgent attention.

The financial crisis has reinforced our view that sustainable development will be the primary driver of economic and industrial change over the next 25 years. As a result, old patterns and assumptions are now

being re-examined in an effort to find new ways to use the strengths of capitalism to address this reality. Indeed, at the Harvard Business School Centennial Global Business Summit held earlier this month, the future of market capitalism

was one of the principal themes discussed. We founded Generation Investment Management in 2004 to develop a new philosophy of investment management and business more broadly. Our approach is based on the long-term, and on the explicit recognition that sustainability issues are central to business and should be incorporated in the analysis of business and management quality. Nearly five years on, our conviction on the importance of sustainability in delivering long-term performance has increased. Indeed, the past year,

and certainly the past two months, has reinforced our view on sustainability. While certainly not a complete list, the causes of the current financial crisis include: short-termism (including

but not limited to increased leverage), poor governance and regulation, misaligned compensation and incentive systems, lack of transparency, and in some firms, poor leadership and a dysfunctional

business culture. Forty years ago, Robert F. Kennedy reminded Americans that the Dow Jones Industrial Average and Gross National Product measure neither our national spirit nor our national achievement. Both metrics fail to consider the

integrity of our environment, the health of our families and the quality of our education. As he put it, "the Gross National Product measures neither our wit nor our courage, neither our wisdom nor our learning, neither our compassion nor our devotion to country. It measures everything, in short, except that which makes life worthwhile." The Keynesian system of "national accounts," which still serves as the backbone for determining today's gross domestic product, is incomplete in its assessment of value. Principally established in

the 1930s, this system is precise in its ability to account for capital goods, but dangerously imprecise in its ability to account for natural and human resources. Business and by extension the capital markets need

to change. We are too focused on the short term: quarterly earnings, instant opinion polls, rampant consumerism and living beyond our means. As we have often said, the market is long on short and short on long. Short-termism results in poor

investment and asset allocation decisions, with disastrous effects on our economy. As Abraham Lincoln said at the time of America's greatest danger, "We must disenthral ourselves, and then we will save our country." At this moment, we are

faced with the convergence of three interrelated crises: economic recession, energy insecurity and the overarching

climate crisis. Solving any one of these challenges requires addressing all three. For example, by challenging America to generate 100% carbon-free electricity within 10 years -- with the building of a 21st century Unified National Smart Grid, and

the electrification of our automobile fleet -- we can encourage investment in our economy, secure domestic energy supplies, and create millions of jobs across the country. We also need to internalize externalities -- starting with a price on carbon. The longer we delay the internalization of this obviously material cost, the greater risk the economy faces from investing in high carbon content, "sub-prime" assets. Such investments ignore the reality of the climate crisis and its consequences for business. And as Jonathan Lash, president of the World Resources Institute recently said: "Nature does not do bailouts." Sustainability and long-term value creation are closely linked. Business and markets cannot operate in isolation from society or the environment. Today, the sustainability challenges the planet faces are extraordinary and completely unprecedented. Business and the capital markets are best positioned to address these issues. And there are clearly higher expectations for businesses, and more serious consequences for running afoul of the boundaries of corporate

responsibility. We need to return to first principles. We need a more long-term and responsible form of capitalism. We must develop sustainable capitalism. Mr. Gore, chairman of Generation

Investment Management, is a former vice president of the United States. Mr. Blood is managing partner of Generation Investment Management.

And the neg must concede to the affirmative's choice of burden structure for this round. A violation would entail contestation of the burden structure which includes reading a separate role of the ballot since that posits a

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separate mechanism for the judge to use. Prefer the interp **A.** other interps allow the NC to introduce an entirely new layer that the 1AR cannot establish adequate footing on due to the 13-7 time skew of a 1AR restart, means we can't engage under their new paradigm anyways **B.** only my interpretation permits substantive discussion since when the burden structure is contested, every single round becomes a procedural debate about what burden is preferable but every burden structure or role of ballot says that substantive clash beneath it is educational **C.** switch side debate links turns reasons to prefer a neg role of the ballot – my interp forces debaters to debate under different paradigms of debate increasing clash and depth.

And, if neither debater is sufficiently meeting their burden better than their opponent, that is the condition under which presumption is triggered since the round is a tie and needs to be evaluated on something other than substance.

Offense – I contend property rights are unjust.

1. Original acquisition, the act of claiming an unowned object as yours for the first time, puts defenders of property rights in a double bind, either **A.** original acquisition is unjust, in which case anyone who does so is wrong and they have no property right that must be respected or **B.** the original taking is just, which means taking property that doesn't yet belong to you is right which also eliminates the notion of property rights.
2. Inheritance is an inevitable feature of property rights since people can consensually give up their property rights and assign them to another – if they can't then that means you can't own anything at all since every molecule was at some point owned by someone else. But inheritance is inherently unfair since people are granted more or less based on their social position and their birthright, which is random and not an individual's choice, so property rights are unjust. So, even if inequality isn't an inevitable feature of property rights, the fact that it's the way it works now means that who has property is still arbitrary.
3. Threshold double-bind – either **A.** inalienable property rights means we could permissibly own hydrogen bombs at great risk to the people around us, which anyone would both reject as unintuitive and also counter-productive to meeting any ethical theory's goal since mass death precludes any theory's realization, or **B.** there are restrictions on ability to own things which means property rights as absolute moral conditions are unjust.
4. It's impossible to say we have ownership of things we use or possess since resources such as the air we breathe are constantly in flux and motion and cannot be guaranteed stable protection as a right. Such a notion of rights would be unenforceable and be antithetical to morality's claim to be binding.
5. Property rights are nonsensical since you own things to pursue your purposes but that means you cease to own things when you stop using them for your ends, since at that point they cease to be part of your plan and are just things sitting around. Thus, in actuality you can never really own things, ownership is just a construct we use to describe using things, so property rights don't exist.

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6. Property rights result in infinite regress since things you won have been rightfully owned by people before you, and will be owned by someone after you. Thus there's never a single thing that belongs to you yourself. Additionally, since every person's identity is defined by their experiences, which constantly fluctuates as memories are altered or added, individuals are not even capable of bearing unique property rights since each individual exists in their current state for only moments.

Lastly, underview.

1. The neg may only have one unconditional access to the ballot. Key to aff strategy since any other interp allows the neg to set up conditional routes to the ballot forcing me to engage all of them. The 2NR becomes much easier since they could go for any route and win the round on that making the 2AR impossible. Key to fairness since you need a coherent strat to win the round.

2. Redefine the aff under neg T or theory as **A.** competing mutually exclusive interps make it possible for the neg to always read theory to avoid substance since the aff enters blind, **B.** T interps are just paradigms for how we debate so winning one isn't a reason to exclude my offense if it still is applicable. **C.** time skew makes it so that it impossible to win theory and substance in the 1AR. Re-evaluating my offense under their interp solves by bringing the round to one layer. This also means drop the neg on theory since I can't beat back an abusive NC strat if I need to win theory and substance too.

3. The neg may not indict the aff's ability to read spikes. **A.** strat skew – either I read the interps as AC spikes subjecting myself to preclusive theory or I can only read them in the 1AR meaning my only option is a 1AR restart meaning I always lose 6 minutes when the round goes to theory **B.** resolvability – an argument indicting spikes would indict this but this spike is already indicting that argument, so to prevent an irresolvable round that precludes any fair decision, now that I've introduced this spike neg may not indict spikes.

4. Use competing interps to evaluate the theory debate since what is reasonable is arbitrary and begs unfair intervention. Also means use text of the interp since there are multiple irresolvable understandings of what constitutes the spirit of the interp.

5. No 2NR theory or metatheory – **A.** It skews my time because I only have 3 minutes to respond to 6 minutes so they're always advantaged and **B.** no judge will vote on a 2ar rvi so it's a no risk issue that can eat up the little amount of time I have. If we each spend a minute on theory the skew will be 5-2 which is worse than 6-3. **And,** no 2NR RVIs – they could always collapse to theory in the 2N with long scripts I couldn't have predicted since the justification wasn't there when I made my choice, that's strat skew, Also, their speeches are always longer than the prior aff speech meaning they can address multiple layers whereas my 1AR is time crunched between 7-6 minute speeches.

6. Neg must concede aff theory comes before neg theory – **A.** The aff has to reserve the right to collapse to one

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layer in the 1ar because it is too time crunched to win multiple layers. **B.** The neg will always win the weighing debate because of the 6 minute 2nr. The only way to give the aff even a chance of winning is to grant that their abuse story comes first. Otherwise, the 2n can just sandbag 6 minutes of weighing. Cross apply strat is key to fairness.

7. If the neg reads an argument that directly contradicts an AC argument they concede and they do not do comparison between the two, then assume the aff argument outweighs **A.** clash – otherwise negs are incentivized to concede arguments they claim they have embedded clash with, and explode the implication in the 2NR without ever really engaging in the first place. Clash is key to fairness and education since it's the basis of in round argumentation **B.** temporality – the judge begins the debate with just a default or a blank slate on an issue, but after the aff alters that initial presumption with an argument, it's the negative burden to change the claim after the AC.