# Bronx r3 1ac

### Framework

#### Moral internalism is true:

#### [1] Epistemology – There is no universal character of moral judgements that is epistemically accessible since every argument for its existence presumes the correct normative starting point.

**Markovits 14**. [Markovits, Julia. Moral reason. https://philpapers.org/rec/ROCJMM Oxford University Press, 2014.//Scopa] BHHS AK

Relatedly, internalism about reasons seems less presumptive than externalism. We should not assume that some of us have special epistemic access to what matters, especially in the absence of any criterion for making such a judgment. It’s better to start from the assumption, as internalism does, that everyone’s ends are equally worthy of pursuit – and correct this assumption only by appealing to standards that are as uncontroversial as possible. According to externalism about reasons, what matters normatively – that is, what we have reason to do or pursue or protect or respect or promote – does not depend in any fundamental way on what in fact matters to us – that is, what we do do and pursue and protect and respect and promote. Some of us happen to be motivated by what actually matters, and some of us are “wrongly” motivated. But externalists can offer no explanation for this supposed difference in how well we respond to reasons – no explanation of why some of us have the right motivations and some of us the wrong ones – that doesn’t itself appeal to the views about what matters that they’re trying to justify. (They can explain why some people have the right motivations by saying, e.g., that they’re good people, but that assumes the truth of the normative views that are at issue.22) A comparison to the epistemic case helps bring out what is unsatisfactory in the externalist position. We sometimes attribute greater epistemic powers to some people than to others despite not being able to explain why they’re more likely to be right in their beliefs about a certain topic. Chicken-sexing is a popular example of this among philosophers. We think some people are more likely to form true beliefs about the sex of chickens than others even though we can’t explain why they are better at judging the sex of chickens. But in the case of chicken-sexing, we have independent means of determining the truth, and so we have independent verification that chicken-sexers usually get things right. Externalism seems to tell[s] us that some of us are better reasons- sensors than others, but without providing the independent means of determining which of us are in fact more reliably motivated by genuine normative reasons (or even that some of us are).

#### [2] Regress – a priori knowledge is merely an acceptance of an individual’s conception of rationality which means anything external collapses. Macintyre 81.

[Macintyre 81, Alasdair Macintyre, https://undpress.nd.edu/9780268035044/after-virtue/ After Virtue, 1981] SHS ZS

The most influential account of moral reasoning that emerged in response to this critique of emotivism was one according to which an agent can only justify a particular judgment by referring to some universal rule from which it may be logically derived, and can only justify that rule in turn by deriving it from some more general rule or principle; but on this view [S]ince every chain of reasoning must be finite, such a process of justificatory reasoning must always terminate with the assertion of some rule or principle for which no further reason can be given. ‘Thus a complete justification of a decision would consist of a complete account of its effects together with a complete account of the principles which it observed, and the effect of observing those principles. If [I] the enquirer still goes on ask ing ‘But why should I live like that?’ then there is no further answer to give him, because we have already, ex hypothesi, [we have already] said everything that could be included in the further answer.’ (Hare 1952, p. 69). The terminus of justification is thus always, on this view, a not further to be justified choice, a choice unguided by criteria. Each individual implicitly or explicitly has to adopt his or her own first principles on the basis of such a choice. The utterance of any universal principle is in the end an expression of the preferences of an individual will and for that will its principles have and can have only such authority as it chooses to confer upon them by adopting them.

#### [3] Open question - Goodness cannot be a property of an object because it would make moral claims tautological.

#### Pidgen 07 (Pigden, Charles. “Russell’s Moral Philosophy.” SEP. 2007.) //Scopa

#### For any naturalistic or metaphysical ‘X’, if ‘good’ meant ‘X’, then (i) ‘X things are good’ would be a barren tautology, equivalent to (ii) ‘X things are X’ or (iii) ‘Good things are good’. (1.2) For any naturalistic or metaphysical ‘X’, if (i) ‘X things are good’ were a barren tautology, it would not provide a reason for action (i.e. a reason to promote X-ness). (1.3) So for any naturalistic or metaphysical ‘X’, either (i) ‘X things are good’ does not provide a reason for action (i.e. a reason to promote X-ness), or ‘good’ does not mean ‘X’.

#### Next, every agent takes their ability to act on their ethical system as instrumentally valuable. Only self interest bridges relativism to provide a universal principle.

**Moore** [Margaret Moore, Queens University professor in the Political Studies department, cross-appointed (as a courtesy) in Philosophy, Reviewed Work(s): Morals by Agreement. by David Gauthier, Noûs, Vol. 25, No. 5 (Dec., 1991), pp. 707-714 ///AHS PB] BHHS AK

On Gauthier's view, morality is a sub-set of self-interest (he calls it preference-fulfillment), which is instrumentally necessary, not absolutely, but given features of the human situation which are almost certain to ob- tain. By taking as his starting-point the agent's subjective motivational set, whatever its content, Gauthier can claim that the requirements of morality escape none who fall under its ambit, for each person necessarily acts on his or her desires and aims. If Gauthier's project is successful, he will have refuted the moral skeptic: by demonstrating that morality is self-interestedly rational, he can claim that the principles are justified and that they apply to everyone. He does not need to presuppose a feeling such as sympathy to explain moral action, or appeal to a process of moral education and socialization within communities which shape the individual's desires and beliefs in accordance with a specific moral conception. Gauthier's agents simply maximize their utility and in the process find that they need to co-operate with others and that the dynamics of co- operation make it rational in self-interested terms to constrain their utility- maximization. By considering in this way the principles and constraints which it would be rational for co-operating self-interested agents to adopt, Gautheir claims to be able to deduce a system of moral constraints and Principles.

#### This entails a system of mutual self restraint: Contracts are the only standard capable of generating normativity since each agent rationally chooses to protect their self-interest by entering the contract.

**Gauthier** [David Gauthier, Canadian-American philosopher best known for his neo-Hobbesian social contract theory of morality, Why Contractarianism?, 1998 ///AHS PB] BHHS AK recut

I shall not rehearse at length an argument that is now familiar to at least some readers, and, in any event, can be found in that book. But let me sketch briefly those features of deliberative rationality that enable it to constrain maximizing choice. The key idea is that in many situations, if each person chooses what, given the choices of the others, would maximize her expected utility, then the outcome will be mutually disadvantageous in comparison with some alternative – everyone could do better**. 14 Equilibrium, which obtains when each person ’ s action is a best response to the others ’ actions, is incompatible with (Pareto-) optimality, which obtains when no one could do better without someone else doing worse. Given the ubiquity of such situations,** each person can see the benefit, to herself, of participating with her fellows in practices requiring each to refrain from the direct endeavor to maximize her own utility, when such mutual restraint is mutually advantageous. No one**,** of course**,** can have reason to accept any unilateral constraint on her maximizing behavior; each benefits from, and only from, the constraint accepted by her fellows. But if one benefits more from a constraint on others than one loses by being constrained oneself, one may have reason to accept a practice requiring everyone, including oneself, to exhibit such a constraint. We may representsuch a practiceas capable of gaining unanimous agreement among rational persons who were choosing the terms on which they would interact with each other. And this agreementis the basis of morality**.** Consider a simple example of a moral practice that would command rational agreement. Suppose each of us were to assist her fellows only when either she could expect to benefit herself from giving assistance, or she took a direct interest in their well-being. Then, in many situations, persons would not give assistance to others, even though the benefit to the recipient would greatly exceed the cost to the giver, because there would be no provision for the giver to share in the benefit. Everyone would then expect to do better were each to give assistance to her fellows, regardless of her own benefit or interest, whenever the cost of assisting was low and the benefit of receiving assistance considerable**.** Each would thereby accept a constraint on the direct pursuit of her own concerns, not unilaterally, but given a like acceptance by others. Reflection leads us to recognize that those who belong to groups whose members adhere to such a practice of mutual assistance enjoy benefits in interaction that are denied to others**.** We may then represent such a practice as rationally acceptable to everyone.This rationale for agreed constraint makes no reference to the content of anyone ’ s preferences**.** The argument depends simply on the structure of interaction, on the way in which each person ’ s endeavor to fulfill her own preferences affects the fulfillment of everyone else**.** Thus, each person ’ s reason to accept a mutually constraining practice is independent of her particular desires, aims and interests, although not, of course, of the fact that she has such concerns**. The idea of a purely rational agent, moved to act by reason alone, is not, I think, an intelligible one.** Morality is not to be understood as a constraint arising from reason alone on the fulfillment of nonrational preferences. Rather, a rational agent is one who acts to achieve the maximal fulfillment of her preferences, and morality is a constraint on the manner in which she acts, arising from the effects of interaction with other agents

**Thus, the standard is consistency with contractarianism. Impact calc – consequences are irrelevant - fair, mutually beneficial contracts are good under the framework. Prefer additionally:**

#### [1] Actor specificity – states are not moral entities but derive authority from the contracts that allows them to constrain action. This outweighs - states aren’t bound by moral obligations, but they are by their contracts to other entities.

#### [2] Both debaters debate to win the round but we are still restricted by agreed on constraints like 4 mins of prep, speech times, etc. Their very performance justifies the AC framework and proves the NC collapses

**[3] Reason - Only my framework answers the question “why be moral”, since agents have a reason to restrain their conflict due to self-interest rather than some non-existent external principle**

**[4] Induction fails - saying that induction works relies on induction itself because it assumes that past trends will continue, which means it’s circular and unjustified**

#### [5] Flexibility – Contracts are key to a) Encompassing all other ethical calculus into our decision since we process the consistency of those frameworks with our self interest and b) Value pluralism – recognizing a singular ethic fails to account for the complexity of moral problems and genuine moral disagreement. My framework solves since we can recognize multiple legitimate values while allowing individuals to exclude ones that are bad which means their fw or k doesn’t exclude contracts but we also need to care about other frameworks.

**[6] Ethics and normativity before ontology and epistemology – ethics normatively justify the inherent nature of “goodness” that allows us to know what a good role of the ballot could be – we function as an epistemic prerequisite as anything else is impact justified which a) begs the question as to why we should adopt their role of the ballot and b) means we function on the basis of unjustified assumptions – although things may seem true or good, we should always make sure from the normative level to ensure we verify the truth value of every complexity in their epistemology claims.**

#### Thus the advocacy: Resolved: The member nations of the World Trade Organization ought to reduce intellectual property protections for medicines. I’m willing to spec what you want as long as I don’t abandon my maxim.

### Offense

#### [1] Because some inequality is inevitable, ideal solutions can only be found by abstracting away into a hypothetical bargaining situation.

David Gauthier, Canadian-American philosopher best known for his neo-Hobbesian social contract theory of morality, Why Contractarianism?, 1998, ///AHS PB

What a rational person would agree to in existing circumstances depends in large part on her negotiating position vis-à-vis her fellows. But her negotiating position is significantly affected by the existing social institutions, and so by the currently accepted moral practices embodied in those institutions. Thus, although agreement may well yield practices differing from those embodied in existing social institutions, yet it will be influenced by those practices, which are not themselves the product of rational agreement. And this must call the rationality of the agreed practices into question. The arbitrariness of existing practices must infect any agreement whose terms are significantly affected by them. Although rational agreement is in itself a source of stability, yet this stability is undermined by the arbitrariness of the circumstances in which it takes place. To escape this arbitrariness, rational persons will revert from actual to hypothetical agreement, considering what practices they would have agreed to from an initial position not structured by existing institutions and the practices they embody. The content of a hypothetical agreement is determined by an appeal to the equal rationality of persons. Rational persons will voluntarily accept an agreement only insofar as they perceive it to be equally advantageous to each. To be sure, each would be happy to accept an agreement more advantageous to herself than to her fellows, but since no one will accept an agreement perceived to be less advantageous, agents whose rationality is a matter of common knowledge will recognize the futility of aiming at or holding out for more, and minimize their bargaining costs by coordinating at the point of equal advantage. Now the extent of advantage is determined in a twofold way. First, there is advantage internal to an agreement. In this respect**,** the expectation of equal advantage is assured by procedural fairness. The step from existing moral practices to those resulting from actual agreement takes rational persons to a procedurally fair situation, in which each perceives the agreed practices to be ones that it is equally rational for all to accept, given the circumstances in which agreement is reached. But those circumstances themselves may be called into question insofar as they are perceived to be arbitrary – the result, in part, of compliance with constraining practices that do not themselves ensure the expectation of equal advantage, and so do not reflect the equal rationality of the complying parties. To neutralize this arbitrary element, moral practices to be fully acceptable must be conceived as constituting a possible outcome of a hypothetical agreement under circumstances that are unaffected by social institutions that themselves lack full acceptability**.** Equal rationality demands consideration of external circumstances as well as internal procedures.

That affirms:

#### [A] IP protections create one-sided contracts in which corporations have full control over prices for drugs that patients in necessity desire – these are by definition unequal contracts since corporations have complete leverage insofar as patients desire health and that’s what medicine is for. Even if companies don’t do this it proves the concept of a medicine patent is intrinsically bad.

#### [B] IPP is a form of the government creating and enforcing a contract between the producer and the rest of society without being agreed on by BOTH sides – it is by definition a bad contract since there’s not mutual consent and an equal footing

**Shaffer 13** (Butler Shaffer, 2013, Mises Institute, “A Libertarian Critique of Intellectual Property”, <https://cdn.mises.org/Libertarian%20Critique%20of%20Intellectual%20Property.pdf>)

Through “economic means,” individuals create rights in one another through contract, an agreement by two or more persons to exchange claims to ownership. You are willing to purchase my claim to my automobile for your $10,000, and I am willing to sell my claim to you for that amount. We enter into an agreement, one that is binding only upon you and me. But when the state—with its monopolistic powers—acts for the benefit of a few, all are legally bound by the rules whether they agree with them or not. If copyrights, patents, or trademark protections are not recognized among free people—unless specifi cally contracted for between two parties—by what reasoning can the state create and enforce such interests upon persons who have not agreed to be so bound? Nor can the inclusion of a copyright notice in a book be defended, under contract principles, as such provides no evidence that the buyer had agreed to respect the presumed property claim prior to his purchase.

#### [2] Reject procedural offense about the violation of current contracts - 1. Logic – It doesn’t matter if it’s a violation of the process of the framework if the conclusion of the framework itself disagrees since the point of ethics is to make the right decision 2. Instrumental value – The value in ethical frameworks are only instrumental insofar as we come to the correct conclusion, which means only the conclusion can generate inherent ethical value.

### Underview

#### [1] Aff Theory – a] the aff gets it because otherwise the 1NC could engage in unchecked, infinite abuse which outweighs anything else, b] it’s drop the debater because the 2AR is too short to win a shell AND substance so theory can only check abuse for the aff if it’s a win condition, c] no neg RVI because otherwise they could dump in the 2n for 6 minutes and get away with anything by sheer brute force, d) competing interps because you have 6 minutes to respond to my 1ar arguments so you should have to prove a better model e) Aff theory first – it’s a much larger strategic loss because 1min is ¼ of the 1AR vs 1/7 of the 1NC which means there’s more abuse if I’m devoting a larger fraction of time.

#### [2] Permissibility affirms:

#### [A] Dictionary.com defines “ought”: as a verb “used to express justice, moral rightness, or the like” and “wrong” as “not in accordance with what is morally right or good” – proving something isn’t wrong means it’s right.

#### [B] Otherwise we’d have to have a proactive justification to do things like drink water.

#### [C] If anything is permissible, then definitionally so is the aff since there is nothing that prevents us from doing it.

#### [D] Permissibility is sufficient to prove an “ought” statement under the framework of sufficient reason.

#### Hanser[[1]](#footnote-1)

An agent who has insufficient reason for doing what he does need not on that account be acting morally impermissibly. So let us say that an agent acts morally permissibly if and only if his [their] action embodies a practical inference whose premises’ justifying force, if any, is not successfully undermined or defeated by any moral considerations. Let us call such practical inferences “permissible.” An agent acts permissibly, then, if and only if his action embodies a permissible practical inference.6 (For the sake of simplicity I shall sometimes, in what follows, revert to the preliminary formulation of the view, omitting the qualification about moral considerations.) Returning to the observation with which this section began, we can see that the inferential account easily explains why permissibility judgments cannot have mere occurrences as their objects. The power to act is a rational power: it is the power to do things for reasons. According to the inferential account, acting permissibly is a matter of not going astray (in a certain way) in one’s exercise of this power. It is a matter, roughly speaking, of basing one’s practical conclusions on adequate reasons. Adverbial permissibility judgments thus evaluate actions qua exercises of agency and not merely qua physical occurrences. What of actions performed for no reason, assuming for the moment that such actions are possible? We can think of an agent who acts for no reason as drawing [draws] a practical conclusion on the basis of no premises at all. If there is a moral reason for him not to act as he does, then the (nonexistent) justifying force of his premises is defeated by a moral consideration, and so he acts impermissibly. If there are no moral reasons for him [them] not to act as he does, then the (nonexistent) justifying force of his [their] premises is not defeated by any moral considerations, and so he [they] acts permissibly. Even if there are actions performed for no reason, then, this needn’t be seen as a fatal blow to the inferential account. A few further clarifications are in order before we move on. An agent may pursue multiple, independent ends in performing a single action, and even when he has but one final end, some of his means to that end will themselves function as subordinate ends. The practical inference embodied by an action, then, should be taken to encompass a complex inferential chain, not just a single inferential step. Furthermore, even when an agent does explicitly rehearse a chain of inferential steps prior to acting, he does not typically rehearse the inference embodied by his action all the way down to its ultimate conclusion. Suppose an agent explicitly reasons, “I can w by xing; so let me x; I can x by fing; so let me f.” If fing is something he already knows how to do, this is where his reasoning will stop. But when it comes to acting, he won’t “just” f. He’ll f in some particular way—with his right hand, say, and with a certain amount of force. Most likely, the agent will be unable fully to conceptualize his manner of fing. He will be able to specify it only demonstratively—his ultimate conclusion, were he explicitly to think it, would be something like, “so I’ll f like this” (as he moves his right hand in a certain way). The conclusion of the practical inference must be taken to include more than the mere “so let me f” if the inferential account of permissibility is to be plausible. Suppose an agent consciously reasons, “I can protect the baby from the cold draft by closing this door; so let me close this door.” He then closes the door quite forcefully—forcefully enough to awaken the baby. Assuming that he could easily have closed the door quietly, it is arguable that he acted impermissibly. The inferential account would be unable to capture this if the inference embodied by his action were to encompass no more than what the agent explicitly thought, for there was no reason why he shouldn’t close the door. What he had a decisive reason not to do was close the door so forcefully. The inferential account of permissibility must not be confused with the superficially similar view that an agent acts permissibly if and only if he acts from a morally admirable motive, such as universal benevolence or respect for the moral law. The inferential account does not even imply that an agent acts impermissibly if he acts from a morally discreditable motive, such as malice or greed. What matters is not the moral status of the agent’s reason for acting, considered on its own, but the justificatory relation between that reason and that for which it is a reason. What matters is whether the agent’s reason for acting is sufficient to justify him in doing what he does. Suppose an agent rescues a drowning swimmer because he expects a reward. He may not act virtuously, and his action may lack moral worth, but he acts permissibly. A more admirable reason for saving the swimmer’s life was available, and a more admirable agent would have availed himself of it, but the agent’s actual reason nonetheless provided him with sufficient justification for doing what he did. Finally, note that the inferential account makes a purely formal claim, in the following sense: while it links the notion of acting permissibly to that of an agent’s acting for a reason sufficient to justify him in doing what he does, it says nothing substantive about what constitutes a successful justification. On this issue it is, I think, quite properly silen

#### E] Epistemics – we wouldn’t be able to start a strand of reasoning since we’d have to question that reason.

#### [3] Presumption affirms:

#### A] Statements are true before false since if I told you my name, you’d believe me.

#### B] Illogical – presuming statements false is illogical since you can’t say things like P and ~P are both wrong.

#### [4] Aff gets RVI’s

#### 1] The 1AR has to over-cover since the NR is devastating which encourages them to under-develop theory in the NC and over-develop in the NR—need the RVI to develop good, in-depth theoryoffense

#### 2] 7-minute NC means you can brute force theory and I don’t have time to win both layers, and aff speaking in the dark means you get access to awful bidirectional interps – RVI’s solve since you’ll lose on bad shells

### Method

Only ideal theory can justify the K. Shelby 13, Shelby, Tommie [Tadwell Titcomb Professor of African-American Studies and Philosophy, Harvard University]. “Racial Realities and Corrective Justice: A Reply to Charles Mills.” *Critical Philosophy of Race* 1.2 (2013): 145-162. The trouble with Mills’s view is that he regards nonideal theory as independent of ideal theory, indeed as an alternative to it. But nonideal theory—the study of the principles that should guide our responses to injustice—cannot succeed without knowing what the standards of justice are (and perhaps also what justifies these standards). It is not clear how we are to develop a philosophically adequate and complete theory of how to respond to social injustice without first knowing what makes a social scheme unjust. When dealing with gross injustices, such as slavery, we may of course be able to judge correctly that a social arrangement is unjust simply by observing it or having it described to us, relying exclusively on our pre-theoretic moral convictions. We don’t need a theory for that. But with less manifest injustices, or when our political values seem to conflict, or when we’re uncertain about what justice requires, or when there is great but honest disagreement about whether a practice is unjust, we won’t know which aspects of a society should be altered in the absence of a more systematic conception of justice. Without a set of principles that enables us to identify the injustice-making features of a social system, we could not be confident in the direction social change should take, at least not if our aim is to realize a fully just society. In light of these considerations, I have two questions about Mills’s project: If we abandon the framework for ideal theorizing, how do we determine which principles of justice should guide our reform or revolutionary efforts, and how do we justify these principles if we must rely exclusively on nonideal theory? Unless Mills is prepared to relinquish the goal of realizing a fully just society, he owes an answer to these questions.

1. Matthew Hanser, “Permissibility and Practical Inference” *Ethics* Vol. 115, No. 3, April 2005, pp. 447-449 http://www.jstor.org/stable/10.1086/428457 [↑](#footnote-ref-1)