## 1.

#### “Affirm” means “assert as valid” and “negate” means “deny the … truth of.”[[1]](#footnote-1) The rules of debate can’t be changed from the inside.

Schapiro Shapiro, Tamar (Professor of Philosophy at Stanford University). “Three Conceptions of Action in Moral Theory.” Volume 35, Number 1, March 2001.

Whereas summary rules presuppose the existence of a well-defined context of application, the establishment of a practice imposes a new conceptual and normative structure on the context to which they are to apply. In this sense, a practice amounts to “the specification of a new form of activity,” along with a new order of status relations in which that activity makes sense.29 From the point of view of a participant, the establishment of a practice transforms an expanse of grass into “playing field,” bags on the ground into “bases,” and individuals into occupants of determinate “positions.” Universal laws come to hold a priori, for example that “three strikes make an out,” and that “every inning has a top and a bottom.” And within that new order people come to have special powers, such as the power to “strike out,” or to “steal a base.” The salient point for Rawls’ purposes is that there are constitutive constraints on the exercise of these new powers, constraints by which any participant must abide in order to make her movements count as the moves she intends them to be.

#### 1] Ought is “used to express duty or moral obligation”- That’s Dictionary.com[[2]](#footnote-2). Prefer our definition

#### A] Framers intent- people who wrote the rez wanted debates to be normative obligations B] Common Usage – Our definition is the first on the list and most commonly used in the debate community.

#### Thus, the role of the ballot is *truth-testing*. Prefer—

#### [1] Education – Framework debates incentivize phil research. Outweighs since phil ed is (a) the reason why schools fund LD debate specifically, (b) most accessible to small schools that can’t keep up with util prep, and (c) key to good policymaking which impact turns their offense.

#### [2] Every statement implicitly asserts its own truth. Any other ROB appeals to mine which collapses.

#### [3] Nothing leaves this round other than the result on the ballot which means even if there is a higher purpose, it doesn’t change anything, and you should just write whatever is important on the ballot and vote for me.

#### [4] ROBs that aren’t phrased as binaries maximize leeway for interpretation as to who is winning offense. Scalar framing mechanisms necessitate that the judge has to intervene to see who is closest at solving a problem.

## 2.

#### [1] We can’t access the perspective of others, so there’s no shared basis for understanding the nature of agency. How I make decisions may be different from you.

#### [2] Our understanding of the world is constrained by biases, sensory flaws, and limited knowledge. Even if we agreed on morals, we would disagree on how to apply morals to a situation.

#### [3] Hijacks Medina – perspectives aren’t accessible then

#### This necessitates consistency with majority rule – nothing else grounds political legitimacy.

Kelsen ’55 Kelsen, Hans (Hans Kelsen was a dope Austrian jurist, legal philosopher and political philosopher). “Foundations of Democracy.” *Ethics*, Volume 66, Number 1, Oct. 1955, pg. 38-39, <https://www.u-cursos.cl/derecho/2011/1/D121B0310B/1/material_docente/bajar?id_material=359324>. MBPZ \*Modified for G-lang

It was a disciple of Hegel who, in the fight against the democratic movement in Germany during the nineteenth century, formulated the catchword: Authority, not majority! And, indeed, if one believes in the existence of the absolute, and consequently in absolute values, in the absolute good-to use Plato's terminology-is it not meaningless to let a majority vote decide what is politically good? To legislate, and that means to determine the contents of a social order, not according to what objectively is the best for the individuals subject to this order, but according to what these individuals, or their majority, rightly or wrongly believe to be their best-this consequence of the democratic principles of freedom and equality is justifiable only if there is no absolute answer to the question as to what is the best, if there is no such a thing as an absolute good. To let a majority of ignorant men decide instead of reserving the decision to the only one who, in virtue of his divine origin or inspiration, has the exclusive knowledge of the absolute good-this is not the most absurd method if it is believed that such knowledge is impossible and that, consequently, no single individual has the right to enforce h[er]~~is~~ will upon the others. That value judgments have only relative validity-one of the basic principles of philosophical relativism-implies that opposite value judgments are [not] neither logically nor morally excluded. One of the fundamental principles of democracy is that everybody has to respect the political opinion of everybody else, since all are equal and free. Tolerance, minority rights, freedom of speech, and freedom of thought, so characteristic of democracy, have no place within a political system based on the belief in absolute values. This belief irresistibly leads-and has always led-to a situation in which the one who assumes to possess the secret of the absolute good claims to have the right to impose his opinion as well as his will upon the others, who, if they do not agree, are in error. And to be in error is, according to this view, to be wrong, and hence punishable. If, however, it is recognized that only relative values are accessible to human knowledge and human will, then it is justifiable to enforce a social order against reluctant individuals only if this order is in harmony with the greatest possible number of equal individuals, that is to say, with the will of the majority. It may be that the opinion of the minority, and not the opinion of the majority, is correct. Solely because of this possibility, which only philosophical relativism can admit-that what is right today may be wrong tomorrow-the minority must have a chance to express freely their opinion and must have full opportunity of becoming the majority. Only if it is not possible to decide in an absolute way what is right and what is wrong is it [is] advisable to discuss the issue and, after discussion, to submit to a compromise.70 This is the true meaning of the political system which we call democracy and which we may oppose to political absolutism only because it is political relativism.71

#### The standard is *consistency with universal agreement*

#### Prefer—

#### First, democratic decision-making maximizes the probability of moral truth which precludes individual reflection.

Nino ’91 Nino, Carlos S. (Carlos Nino was a Professor of Law at the University of Buenos Aires and a regular visiting Professor at the Yale Law School; He was a moral, legal, and political philosopher and holds a Ph.D. in law from Oxford University). “The Epistemological Moral Relevance of Democracy.” *Ratio Juris*, Volume 4, Number 1, March 1991, pg. 36-51. <http://www.stafforini.com/nino/Nino%20-%20The%20epistemological%20moral%20relevance%20of%20democracy.pdf>. MBPZ

The aim of this article is to connect moral truth with democracy through the bridge of moral discussion. In the foregoing section, I have said something about the relation between moral truth and moral discussion. Now, I must deal with the relation between moral discussion and democracy. If the discussion through which we have a privileged access to moral principles were made part of the origin and working of the government, this government would be relevant to the assessment of moral reasons for action. And, in so far as democracy is characterized as the government of discussion par excellence, this view would provide a justification of democracy. In other words, we would conclude that democracy is the only legitimate form of government since only when the government is democratic is it not superfluous to those who wish to act autonomously according to morality; only democracy makes the discussions through which that morality is known an essential part of government. But what exactly is the relation between democracy and moral discussion? A possible explanation may be this: Moral discussion is not only a method of moral knowledge but also a practical procedure for solving conflicts by means of a shared access to that knowledge; it is a social practice which is oriented to achieve unanimous consensus on certain principles which provide the ultimate justification of actions and institutions. In many cases, this consensus among those who may be affected by a measure or course of action is achieved; when this happens, the practice of moral discussion facilitates moral knowledge but also fulfills its latent social function of avoiding conflicts and facilitating cooperation between individuals with competitive interests. However, there are also cases in which moral discussion is ineffective, since there is a critical occasion on which the measure of course of action must be adopted and a unanimous consensus has not been achieved on that occasion. In such a situation, to insist on the need to reach that consensus implies favouring the individuals, who may well form the minority group, who are for preserving the status quo, i.e., for not adopting any decision. Therefore, in these cases a moment for adopting one or the other decision must be established and the decision procedure which is closest to unanimous consensus is the one that should be preferred, for it is closest to the ideal, that turns out to be a decision by simple majority, since the requirement of a qualified majority grants veto power to a minority. In this way, democracy as majority rule would be a substitute for ordinary moral discussion, that is, it would be a regimented form of that discussion to which we must resort when we cannot achieve consensus by the required time. This conclusion rests on the hypothesis, intuitively attractive but not easy to argue for, that the majoritarian decision-making procedure tends to produce results which are closer to the requirement of impartiality than those produced by any other procedure. Compare the working of the democratic process with the judicial one. Here impartiality is introduced through the qualities of one or several people who are supposed to have the moral and the intellectual capacities which lead to a fair weighing of all the interests involved regardless of who their bearers are, capacities which are reinforced by the fact that there are certain mechanisms for preventing that there are interests of the judge himself involved in the conflicts. Some may argue that from the value of free and open discussion for achieving impartiality, the value of the majoritarian process cannot be inferred, since the former value could lead to an extension of the judicial process to the political sphere with a benefic dictator acting as a judge. But there are two obvious obstacles to this extension. First, it is supposed that impartial people tend to be appointed as judges because the procedure of selection, a democratic one, is in itself impartial. There is no guarantee that the process by which a dictator emerges promotes his impartiality. Second, unlike what happens in judicial processes, it is almost impossible to isolate the interests of the person who decides in global and large scale political issues which concern almost everyone. So we have a procedure in which everyone is party and everyone is judge. Let us comment on this "everyone." Of course, the greatest threat to impartiality in the democratic procedure is that a stable majoritarian coalition is formed against a minority whose interests are systematically disregarded. This is a real danger, and to prevent its worst effects it is that basic rights are taken away from the democratic process so as to protect vital interests or minorities. But the danger should not be exaggerated; the great merit of a procedure of decision by simple majority is that, unlike that by a single person or by a minoritarian group, those who are interested in a certain decision try to get the adhesion of as many people as possible even when the simple majority is apparently surpassed. This is so because as a minority is left aside, its offers to some groups forming the majoritarian coalition increases and this coalition may break at the last moment. This is also the reason why, except for irrational motives like racist ones, it is difficult that there be a stable minority which the groups that are trying to form possible majoritarian coalitions do not try to entice. The more marginalized a minority is, the smaller is its price for forming part of an alternative majoritarian coalition. Therefore, the majoritarian decision-making procedure, when it works without distortion, contains a strong incentive for each citizen trying to convince as many fellow citizens as possible of the rightness of h[er]is proposal. In these encounters, each participant is at the same time an advocate and a judge: He puts forward his own interests if he believes that they have not been taken into account in the position of his adversary; he advances his own proposal trying to convince the other that it takes into account his interests; he receives the complaint of the other if this latter thinks that his concerns have been disregarded and he must judge and argue against the proposal of the adversary. As, ideally, all this must be done publicly, or at least there must be sufficient communication between citizens, the offer that someone makes to another cannot be so centered in the interests of the two of them and so indifferent to those of others as to prejudice the reliability of the person who makes it in his negotiation with those others. What the procedure requires of each participant is that she put forward her interests so that everyone may know whether they have been taken into account in each proposal, as well as her view about what would be the principle which strikes an impartial balance between her interests and those of the rest of the people. The need to enlist as many people as possible for her cause, together with the way in which, as we just saw, each one must negotiate that support, constitutes a strong incentive for each one to approach positions of impartiality. The collective result of this individual tendency towards impartiality promoted by the procedure of discussion and negotiation is the probability that the solutions reached be impartial. This is supported by theorems like those of Condorcet (1985) and Grofman et al. (1983) to the effect that as more people who are individually more likely than not to adopt the correct decision, adopt the same decision, under a majoritarian rule, the more likely it is that that decision be correct and that the decision of the majority is more likely to be correct than the decision of the most competent member of the group. The procedural requirements of justifying the vote before everyone on grounds that would be accepted or not rejected by impartial, rational and relevantly informed voters, plus the need of enlisting as many adherents as possible, generates an individual tendency towards impartiality. This tendency may acquire a psychological dimension through the educational impact of the exposure to the practice of democratic discussion and decision (and the persuasion that the best way of seeming just and reliable by the rest is by being so; see Nelson 1980), but it is not necessary for the value of the procedure that the participants come to desire to act justly. It is enough that they must defend their vote before each other and that they must try to align with them as many other votes as possible. It is not that in each individual case the solution that the majority favours be necessarily more impartial, and consequently more correct, than that of the minority. The thesis is that the requirement of simple majority promotes a process of negotiation which pushes towards impartiality and this makes the results of the collective procedure be, in general, probably more impartial than the decision which would have been reached through a procedure which gave prominence to the opinions of a person or a group. However when the solution which triumphs has been supported by a wide majority - say 70% of the votes against 30% and not merely 51% against 49% - there are reasons to think that the majoritarian proposal is probably more impartial than the minoritarian one, since it would be difficult to enlist such a vast majority, with the risk of collapse of the coalition because of enticements from the minority, if the proposal did not take into account as many interests as possible. This is not, of course, a reason for requiring a qualified majority, since this would give veto power to a minority in favour of the status quo. Precisely the way of promoting the formation of great majorities is ' by allowing a simple majority to win. At any rate, the epistemological value of the decision taken through a majoritarian procedure is not based on the fact that it is more impartial and thus more correct than the one which lost the contest - though in many cases there are reasons to think that this is so - but on the fact that it is probably more impartial and consequently more correct than the decision which an individual or a minority would have taken outside the democratic process. This grounds the conclusion that the moral validity of the decisions which are taken through a democratic procedure would be of greater or lesser degree according to the degree by which the democratic procedure departs from the rules of the practice of moral discussion. From this we infer that that procedure should maximize the possibility of free, open and reflective debate prior to the decision, and the participation in it of all those concerned. (Of course, actual democracies depart a good deal from these requirements, which explains why the presumption of the validity of their results tends to be slight. This justification of democracy not only purports to give account of its value, but also to indicate how it should work in order to maximize it). The presumption will be stronger as more people concur in the same conclusion in comparison to those who back alternative solutions. On the other hand, the obligatory quality of a decision which was backed by a slim majority is not based on its presumption of moral truth. It is grounded instead on the fact that, if we did not recognize the obligatory quality of a decision adopted by a slight majority, greater majorities would never be formed and yet it is to be presumed that they come close to the conclusion that would be reached from the moral point of view. This view implies that democracy has epistemological value. It is a sound method of arriving at moral knowledge since it includes, as an essential component both the discussion and the majoritarian agreement, and thus brings us closer to moral truth. On the other hand, an individual who reaches moral judgments in an unreflective way or even through an isolated reflection without confrontation with individuals with different traits and interests, may not presume that such a conclusion would have been unanimously accepted by all the people involved under ideal conditions. Although it is not impossible, it is quite improbable that someone would give due weight to all the interests of everyone affected by a course of action without a previous confrontation with them. Discussion with others has also the advantage of helping us to notice the deficiencies in reasoning which lead to certain moral stands. Even if in a particular case we are sure that the solution reached through individual reflection is right and the one democratically decided is wrong, we have reasons for following [democratic decision-making] this latter since, otherwise, our last court of appeal of moral judgment would be individual reflection, contradicting our assumption that the democratic procedure of discussion and decision is, in general, a more reliable guide to moral truth. This means that the moral person is generally in a situation in which, though [s]he wishes to act on the basis of moral reasons, [s]he does not know for sure which these are. The process of democratic discussion and decision may guide the moral person towards valid moral principles though that guidance has different degrees of certainty and is never absolutely reliable, and the possibility always remains of revising the decision reached on the basis of reflection about what the ideal consensus would have been. In many cases the reason for obeying the democratic authorities is rather weak and should be complemented with other kinds of reasons, probably of a consequentialist character. But it is also the other way around: The kind of reason we are analyzing is based on intrinsic features of democratic procedure, which give some ground to the obligation to abide by the results of that process when the arguments based on its consequences are uncertain or diffuse.

#### Second, descriptivism is true – social conventions define linguistic meaning of words like “ought.”

Palmer ’71 Palmer, Robert F. (Robert Palmer is Emeritus Professor of Linguistic Science at the University of Reading). “Grammar.” *Penguin Books*, New York, N.Y., U.S.A., 2nd edition, pg. 15-16. MBPZ

These misconceptions are all mixed together, but the basic mistake is seeing grammar as a set of normative rules - rules that tell us how we ought to speak and write. It is important incidentally to stress the word 'normative’ since, as we shall see later, one theoretical model of grammar makes extensive use of rules; these will prove, however, to be descriptive rules (rules that describe the language), not prescriptive rules (rules that prescribe the language). That is, they will be rules that state what we in fact say, not rules that state what we ought to say. Normative grammar teaches us to say It is I instead of It's me, to avoid ending sentences with prepositions, to know the difference between owing to and due to, to use each other instead of one another when only two people are involved, and so on. The authority for these 'correct' forms lies, of course, in the grammar books. They have been drilled into generations of schoolboys, and it is no coincidence that we speak of the 'grammar' schools. In France there is an even more impressive authority, the French Academy, which since 1635 has been the body with the right to decide what is and what is not permissible in the French language. Most of these rules of grammar have no real justification, and there is therefore no serious reason for condemning the 'errors' they proscribe. What is correct and what is not correct is ultimately only a matter of what is accepted by society, for language is a matter of conventions within society. If everyone says It's me, then surely It's me is correct English. (For by what criterion can everyone within a society be guilty of bad grammar?)

#### Third, Striving toward omni perspectival knowledge is the only way to be consistent with our moral judgments – Hudgens 07,

[Jennifer L. Hudgens “Perspectives on Perspectivism: Nietzsche and His Commentators” Georgia State University Philosophy Theses Department of Philosophy 8-3-2007] //LHP NK & SS

Again, the definition I offered for omniperspectival knowledge was as follows: **Striving for ‘omniperspectival knowledge’ is** what Nietzsche considers to be **the only logical**ly possible **way** **we could** even **approach the inconceivable nonperspectival position. The omniperspective**, as the name implies, **would include the information available from all perspectives;** thus it can serve as a goal for those who seek objectivity, in that it is the closest thing to the God’s eye view (the nonperspective) that we are actually capable of conceiving. For comparison, let me quote Leiter’s plurality claim: “**The more perspectives we enjoy** – for example, the more interests we employ in knowing the object – **the better our conception of what the object is like to be**” (Leiter, p. 345). I believe Leiter may go a step too far in asserting that our conception of this 33 object will be “better” to Nietzsche, for Nietzsche says only that our objectivity or conception of this object will be “more complete” (GM III:12). However, Given that I claim only that trying to reach the omniperspective can serve as a goal, Leiter’s [the] plurality claim is subsumable under the omniperspectivity claim as part of the spectrum of truth: it is possible that the omniperspective is the best goal, and there are other possibilities also.

#### Fourth, morality must be capable of giving people reasons to act. Otherwise, people could conclude there is no reason for them to accept standards. Morality would just be a hypothetical imperative, which can’t produce an obligation. Polls give each person a way to express their interests and are the best way to justify beliefs because they aggregate preferences. Merely justifying why an ethical theory is “true” does not matter if a person would never bind themselves to it.

#### Negate

#### 1] If ethical calculations are impossible then vote negative on permissibility and presumption because they haven’t proven the resolution true.

#### 2] The 1AC has failed to prove that

#### 3] Mainstream – means that if the aff is popular you should vote neg – that was CX

## 3.

#### Infrastructure passes now due to Biden and Pelosi involvement – Biden PC and tight timetables makes the margin for error literally ZERO

Elliott 9-16 (Philip Elliott is a Washington Correspondent for TIME. Before joining TIME in early 2015, he spent almost a decade at The Associated Press, where he covered politics, campaign finance, education and the White House. He is a graduate of the E.W. Scripps School of Journalism at Ohio University, September 16, 2021, accessed on 9-17-2021, Time, "Democrats Face a Grueling Two Weeks as Infighting Erupts Over Infrastructure", https://time.com/6098810/house-democrats-reconciliation/)//babcii

House Democrats yesterday finished penning a 2,600-page bill that **finally outlines the specifics** of their ambitious “soft” infrastructure plan that won’t attract a single Republican vote. But no one was really rushing to Schneider’s for bottles of bubbly. For a party ready to spend $3.5 trillion to fund its social policy agenda, there were plenty of glum faces on Capitol Hill. In fact, one key piece of the legislation—a deal that would finally let Medicare negotiate lower prices with drug companies—fell apart in the Energy and Commerce Committee when three Democrats voted against it. It found resurrection a short time later when Leadership aides literally plucked it from the Energy and Commerce team and delivered it to the Ways and Means Committee for its approval instead. Even there, though, one Democrat voted against it, saying the threat it posed to pharmaceutical companies’ profits would doom it in the Senate. “Every moment we spend debating provisions that will never become law is a moment wasted and will delay much-needed assistance to the American people,” Rep. Stephanie Murphy of Florida later argued. Put another way? Brace **for some nasty politics** over the next two weeks as House Speaker Nancy Pelosi tries to get this bill to a vote before the budget year ends on Sept. 30. And those 2,600 pages had better be recyclable. Democrats can **only afford three defectors** if they want to usher this bill into law, **and they’re perilously close to failure**. So far, five centrist Democrats in the House have said they prefer a scaled-back version of the Medicare component. But if Pelosi gives the five centrists that win, she risks losing the support of progressives who are already sour that things like a punitive wealth tax and the end to tax loopholes aren’t present in the current version of the bill. As it stands now, letting Medicare negotiate drug prices would save the government about $500 billion over the next decade. The scaled-back version doesn’t have an official cost, but a very similar version got its score in the Senate last year: roughly $100 billion in savings. Because Democrats are using a budgeting loophole to help them avoid a filibuster and pass this with bare majorities, that $400 billion gap matters a lot more than on most bills. Scaling back the Medicare savings means they would also have to scale back their overall spending on the bill—a big line in the sand for progressives who say they’ve already compromised too much. All of this, of course, comes as President Joe Biden and his top aides in the White House have been trying to get Senate **centrists onboard**. Just yesterday, he **met separately with Sens. Kyrsten Sinema and Joe Manchin**, fellow Democrats who have expressed worries about the $3.5 trillion price tag but have been vague about what exactly they want to cut back on. With the Senate evenly divided at 50-50, and Vice President Kamala Harris in position to break the ties to Democrats’ victories, any shenanigans from those two independent thinkers scrambles the whole package. Oh, and that other bipartisan infrastructure plan that carries $550 billion in new spending? It’s still sitting on the shelf in the House. Pelosi said she’d bring it to the floor only when the bigger—and entirely partisan—bill was ready. And there’s plenty of grumbling about that package, too. If this is all beginning to sound like a scratched record that keeps repeating, it’s because this has become something of a pattern here in Washington. Things look pretty grim for legislation in town these days, despite Democrats controlling the House, the Senate and the White House. Their margin for error **is literally zero**, and so hiccups from a half-dozen centrists can forewarn a doomed agenda. So far, Pelosi has been a master of holding the line on crucial votes and has managed to maneuver her team to victories, including on an earlier pandemic relief package that passed with only Democratic votes. Now she’s trying again, but the clock is ticking, and $3.5 trillion is an eye-popping sum of money that rivals the spending the United States unleashed to close out World War II.

#### Attacks on Pharmaceutical Profits triggers Mod Dem Backlash – it disrupts unity.

Cohen 9-6 Joshua Cohen 9-6-2021 "Democrats’ Plans To Introduce Prescription Drug Pricing Reform Face Formidable Obstacles" <https://www.forbes.com/sites/joshuacohen/2021/09/06/democrats-plans-to-introduce-prescription-drug-pricing-reform-face-obstacles/?sh=37a269917395> (independent healthcare analyst with over 22 years of experience analyzing healthcare and pharmaceuticals.)//Elmer

There’s considerable uncertainty regarding passage with a simple majority of the 2021 massive budget reconciliation bill. Last week, Senator Joe Manchin called on Democrats to pause pushing forward the budget reconciliation bill. If Manchin winds up saying no to the bill, this would scuttle it as the Democrats can’t afford to lose a single Senator. And, there’s speculation that provisions to reduce prescription drug prices may be watered down and not incorporate international price referencing. Additionally, reduced prices derived through Medicare negotiation may not be able to be applied to those with employer-based coverage. While the progressive wing of the Democratic Party supports drug pricing reform, **several key centrist Democrats** in both the House and Senate appear to be **uncomfortable** **with** particular aspects of the budget reconciliation bill, including a potential deal-breaker, namely the potential **negative impact of drug price controls on the domestic pharmaceutical industry**, as well as long-term patient access to new drugs. A paper released in 2019 by the nonpartisan Congressional Budget Office found that the proposed legislation, H.R. 3, would reduce global revenue for new drugs by 19%, leading to 8 fewer drugs approved in the U.S. between 2020 and 2029, and 30 fewer drugs over the next decade. And, a new report from the CBO reinforces the message that drug pricing legislation under consideration in Congress could lead to fewer new drugs being developed and launched. **Intense lobbying efforts from biopharmaceutical industry groups** **are underway**, **warning of** what they deem are **harms from price controls in** the form of diminished patient **access to new innovations**. The argument, based in part on assumptions and modeling included in the CBO reports, asserts that price controls would dampen investment critical to the biopharmaceutical industry’s pipeline of drugs and biologics. **This** won’t sway most Democrats, but has been a traditional talking point in the Republican Party for decades, and **may convince some centrist Democrats to withdraw backing** of provisions **that** in their eyes **stymie pharmaceutical innovation.** If the budget reconciliation bill would fail to garner a majority, a pared down version of H.R. 3, or perhaps a new bill altogether, with Senator Wyden spearheading the effort, could eventually land in the Senate. But, a similar set of provisos would apply, as majority support in both chambers would be far from a sure thing. In brief, Democrats’ plans at both the executive and legislative branch levels to introduce prescription **drug pricing reform** **encounter challenges** which may prevent impactful modifications from taking place.

#### Big Insulin aggressively lobbies Congress – immediate blowback from price-control policies.

Lucas and Hancock 18 [ELIZABETH LUCAS (Data Editor at Kaiser Health News, specializes in data analysis and reporting for the KHN enterprise team. She came from Investigative Reporters and Editors (IRE), where she spent four years training and supporting data journalists around the world as the NICAR Data Library director. Previously she worked as a data reporter on health and the environment for the Center for Public Integrity. She has a master’s degree from the Missouri School of Journalism) AND JAY HANCOCK (Senior correspondent, Kaiser Health News). “How High Drug Prices and Big Lobbying Budgets Go Together for Big Pharma”. Fortune. April 26, 2018. Accessed 9/16/21. <https://fortune.com/2018/04/26/drug-prices-diabetes-lobbying/> //Xu]

The outlook was grim for Novo Nordisk at the end of 2016. As pressure mounted over the pharmaceutical giant’s rising insulin prices, investors drove its stock down by a third, fearing that policymakers would cap price tags and hurt profits. Then things got worse. A Massachusetts law firm sued the company and two other pharma companies on behalf of patients, claiming that high insulin prices of hundreds of dollars a month forced diabetics to starve themselves to minimize their blood sugar while skimping on doses. At least five states began investigating insulin makers and their business partners. As scrutiny rose, Novo Nordisk engaged in what analysts say is a time-honored response to public criticism. It aggressively ratcheted up spending to spread its influence in Washington and to have a louder say in the debates over drug prices. The drugmaker’s political action committee spent $405,000 on federal campaign donations and other political outlays last year, more than in 2016 — an election year — and nearly double its allocation for 2015, data compiled by Kaiser Health News show. Novo Nordisk also spent $3.2 million lobbying Congress and federal agencies in 2017, its biggest-ever investment in directly influencing U.S. policymakers, according to the Center for Responsive Politics. “We remain committed to being part of the discussion,” said Tricia Brooks, head of government relations and public affairs for Novo Nordisk. Brooks acknowledged scrutiny over insulin prices but said the company has many other issues to work on with policymakers. “I don’t want us to run away from it and hide or keep our head down and wait for it to roll over.” Part of the lobbying surge included summoning more than 400 Novo Nordisk employees to contact lawmakers and their staffs on Capitol Hill, “a huge increase from anything we’ve ever done before,” Brooks said. Lobbying spending ramps up Taken together, the increases represent a “major corporate policy shift” for the company and appear to be a classic business response to growing political risk, said Kent Cooper, a former Federal Election Commission official who has tracked political money for decades. The pharma industry as a whole has behaved similarly, cranking up political contributions and lobbying. Meanwhile, despite much talk about change, Congress and the Trump administration have done little to control drug prices or threaten drug-company profits. Pharma businesses overall made political donations of $12.1 million last year, down from a $13.6 million election-year surge in 2016 but 9% higher than the haul for 2015, the last “off” year, according to the KHN analysis. Pharma industry lobbying expenses surpassed $171 million last year, the highest level since 2009, during negotiations over the Affordable Care Act, according to CRP. “It’s been hot in the health care arena for — how many years now?” said Steven Billet, who teaches lobbying and PAC management at George Washington University. “Anybody in this world now is sitting there thinking, ‘When I go back to the board next year, I’m going to ask for 15% more in my [lobbying and campaign finance] budget. Because this isn’t going away.’” Like most big corporations, Novo Nordisk runs a political action committee, or PAC, which solicits employee donations and gives the proceeds to political candidates’ campaigns. The company is Danish. Only workers who are U.S. citizens or permanent residents are allowed to support the PAC. Like many PACs, Novo Nordisk spreads money to both parties, concentrating on powerful committee members and other leaders. Since 2013 it has given $22,500 to House Speaker Paul Ryan, a Republican, and $20,472 to South Carolina’s James Clyburn, a member of the Democratic House leadership. Brooks gave the PAC $4,370 last year, the data show. Some employees gave as little as $20 or $30. Insulin: High prices and high stakes The firm’s influence-seeking has grown along with its U.S. sales, which went from hundreds of millions of dollars in the early 2000s to some $9 billion last year. Its biggest business is diabetes treatment, including various types of insulin whose list prices have more than doubled in recent years. The wholesale list price for a vial of Novo Nordisk’s Levemir, a long-acting insulin, went from $144.80 in 2012 to $335.70 in January, when the price rose 4%, according to Connecture, a research firm. Even Alex Azar, a former Eli Lilly executive who became Health and Human Services secretary in January, said in his confirmation hearing that “insulin prices are high, and they’re too high.” Along with Novo Nordisk and Sanofi, Lilly is one of the three big insulin makers under investigation by state attorneys general for price increases that the investigators believe are suspiciously similar in size and timing. All three companies reject suggestions that they coordinated price increases with competitors. Sanofi and Lilly both spent more last year on political donations and federal lobbying than Novo Nordisk. Lilly’s political spending was $548,100 for 2017, up 12 percent from 2015, the previous off-election year, the data show. Sanofi’s was $527,200, down from 2015. But potential insulin price limits threaten Novo Nordisk more than those companies because diabetes-related drugs account for an exceptionally big portion of its business, analysts said. Several proposals under consideration by Congress could lower insulin prices or limit future increases. One would allow the Medicare program for seniors to negotiate prices for covered drugs, thus lowering the cost. Other proposals would make it easier for competing, “biosimilar” alternatives to break through the thicket of patents created by sellers of complex drugs such as insulin. Others would bring more transparency, requiring companies to publish and justify price increases. None of the proposals has made it out of congressional committees. In the face of inaction by Washington, Novo Nordisk’s stock has recovered much of the ground it lost in 2016. Profits rise List prices such as those tracked by Connecture don’t reflect what patients or their insurers ultimately pay, said Novo Nordisk spokesman Ken Inchausti. Growing discounts and rebates substantially reduced the reported list price, he said. Even including discounts, however, the company’s net profit margin for 2017 was 34%, its highest since at least 2000, when it was half that high. Official filings show Novo Nordisk lobbyists have been weighing in on numerous measures related to drug prices, including proposals to import less expensive drugs from Canada. The company lobbies Washington on a wide range of issues including diabetes prevention, budget matters, chronic disease and making obesity an accepted medical disease that insurers will pay to prevent, Brooks said. But last year’s increase in campaign donations and lobbying seem like more than business as usual for Novo Nordisk, said Billet, a former AT&T lobbyist who directs GWU’s Legislative Affairs program. “I’m not surprised,” he said. “They’ve obviously had some issues recently. This is maybe a predictable enough element in their strategy.”

#### Pharma backlash independently turns Case.

Huetteman 19 Emmarie Huetteman 2-26-2019 “Senators Who Led Pharma-Friendly Patent Reform Also Prime Targets For Pharma Cash” <https://khn.org/news/senators-who-led-pharma-friendly-patent-reform-also-prime-targets-for-pharma-cash/> (former NYT Congressional correspondent with an MA in public affairs reporting from Northwestern University’s Medill School)//Elmer

Early last year, as lawmakers vowed to curb rising drug prices, Sen. Thom Tillis was named chairman of the Senate Judiciary Committee’s subcommittee on intellectual property rights, a committee that had not met since 2007. As the new gatekeeper for laws and oversight of the nation’s patent system, the North Carolina Republican signaled he was determined to make it easier for American businesses to benefit from it — a welcome message to the drugmakers who already leverage patents to block competitors and keep prices high. Less than three weeks after introducing a bill that would make it harder for generic drugmakers to compete with patent-holding drugmakers, Tillis opened the subcommittee’s first meeting on Feb. 26, 2019, with his own vow. “From the United States Patent and Trademark Office to the State Department’s Office of Intellectual Property Enforcement, no department or bureau is too big or too small for this subcommittee to take interest,” he said. “And we will.” In the months that followed, tens of thousands of dollars flowed from pharmaceutical companies toward his campaign, as well as to the campaigns of other subcommittee members — including some who promised to stop drugmakers from playing money-making games with the patent system, like Sen. John Cornyn (R-Texas). Tillis received more than $156,000 from political action committees tied to drug manufacturers in 2019, more than any other member of Congress, a new analysis of KHN’s Pharma Cash to Congress database shows. Sen. Chris Coons (D-Del.), the top Democrat on the subcommittee who worked side by side with Tillis, received more than $124,000 in drugmaker contributions last year, making him the No. 3 recipient in Congress. No. 2 was Sen. Mitch McConnell (R-Ky.), who took in about $139,000. As the Senate majority leader, he controls what legislation gets voted on by the Senate. Neither Tillis nor Coons sits on the Senate committees that introduced legislation last year to lower drug prices through methods like capping price increases to the rate of inflation. Of the four senators who drafted those bills, none received more than $76,000 from drug manufacturers in 2019. Tillis and Coons spent much of last year working on significant legislation that would expand the range of items eligible to be patented — a change that some experts say would make it easier for companies developing medical tests and treatments to own things that aren’t traditionally inventions, like genetic code. They have not yet officially introduced a bill. As obscure as patents might seem in an era of public **outrage** **over** drug prices, the fact that **drugmakers** gave most **to** the **lawmakers working to change the patent system** belies how important securing **the exclusive right to market a drug, and keep competitors at bay, is to their bottom line**. “**Pharma will fight to the death to preserve patent rights**,” said Robin Feldman, a professor at the UC Hastings College of the Law in San Francisco who is an expert in intellectual property rights and drug pricing. “Strong patent rights are central to the games drug companies play to extend their monopolies and keep prices high.” Campaign contributions, closely tracked by the Federal Election Commission, are among the few windows into how much money flows from the political groups of drugmakers and other companies to the lawmakers and their campaigns. Private companies generally give money to members of Congress to encourage them to listen to the companies, typically through lobbyists, whose activities are difficult to track. They may also communicate through so-called dark money groups, which are not required to report who gives them money. Over the past 10 years, the **pharmaceutical industry** has **spent** about $**233 million per year on lobbying**, according to a new study published in JAMA Internal Medicine. That is more than any other industry, including the oil and gas industry. Why Patents Matter Developing and testing a new drug, and gaining approval from the Food and Drug Administration, can take years and cost hundreds of millions of dollars. Drugmakers are generally granted a six- or seven-year exclusivity period to recoup their investments. But drugmakers have found ways to extend that period of exclusivity, sometimes accumulating hundreds of patents on the same drug and blocking competition for decades. One method is to patent many inventions beyond a drug’s active ingredient, such as patenting the injection device that administers the drug. Keeping that arrangement intact, or expanding what can be patented, is where lawmakers come in. Lawmakers Dig In Tillis’ home state of North Carolina is also home to three major research universities and, not coincidentally, multiple drugmakers’ headquarters, factories and other facilities. From his swearing-in in 2015 to the end of 2018, Tillis received about $160,000 from drugmakers based there or beyond. He almost matched that four-year total in 2019 alone, in the midst of a difficult reelection campaign to be decided this fall. He has raised nearly $10 million for his campaign, with lobbyists among his biggest contributors, according to OpenSecrets. Daniel Keylin, a spokesperson for Tillis, said Tillis and Coons, the subcommittee’s top Democrat, are working to overhaul the country’s “antiquated intellectual property laws.” Keylin said the bipartisan effort protects the development and access to affordable, lifesaving medication for patients,” adding: “No contribution has any impact on how [Tillis] votes or legislates.” Tillis signaled his openness to the drug industry early on. The day before being named chairman, he reintroduced a bill that would limit the options generic drugmakers have to challenge allegedly invalid patents, effectively helping brand-name drugmakers protect their monopolies. Former Sen. Orrin Hatch (R-Utah), whose warm relationship with the drug industry was well-known, had introduced the legislation, the Hatch-Waxman Integrity Act, just days before his retirement in 2018. At his subcommittee’s first hearing, Tillis said the members would rely on testimony from private businesses to guide them. He promised to hold hearings on patent eligibility standards and “reforms to the Patent Trial and Appeal Board.” In practice, the Hatch-Waxman Integrity Act would require generics makers challenging another drugmaker’s patent to either take their claim to the Patent Trial and Appeal Board, which acts as a sort of cheaper, faster quality check to catch bad patents, or file a lawsuit. A study released last year found that, since Congress created the Patent Trial and Appeal Board in 2011, it has narrowed or overturned about 51% of the drugmaker patents that generics makers have challenged. Feldman said the drug industry “went berserk” over the number of patents the board changed and has been eager to limit use of the board as much as possible. Patent reviewers are often stretched thin and sometimes make mistakes, said Aaron Kesselheim, a Harvard Medical School professor who is an expert in intellectual property rights and drug development. Limiting the ways to challenge patents, as Tillis’ bill would, does not strengthen the patent system, he said. “You want overlapping oversight for a system that is as important and fundamental as this system is,” he said. As promised, Tillis and Coons also spent much of the year working on so-called Section 101 reform regarding what is eligible to be patented — “a very major change” that “would overturn more than a century of Supreme Court law,” Feldman said. Sean Coit, Coons’ spokesperson, said lowering drug prices is one of the senator’s top priorities and pointed to Coon’s support for legislation the pharmaceutical industry opposes. “One of the reasons Senator Coons is leading efforts in Congress to fix our broken patent system is so that life-saving medicines can actually be developed and produced at affordable prices for every American,” Coit wrote in an email, adding that “his work on Section 101 reform has brought together advocates from across the spectrum, including academics and health experts.” In August, when much of Capitol Hill had emptied for summer recess, Tillis and Coons held closed-door meetings to preview their legislation to stakeholders, including the Pharmaceutical Research and Manufacturers of America, or PhRMA, the brand-name drug industry’s lobbying group. “We regularly engage with members of Congress in both parties to advance practical policy solutions that will lower medicine costs for patients,” said Holly Campbell, a PhRMA spokesperson. Neither proposal has received a public hearing. In the 30 days before Tillis and Coons were named leaders of the revived subcommittee, drug manufacturers gave them $21,000 from their political action committees. In the 30 days following that first hearing, Tillis and Coons received $60,000. Among their donors were PhRMA; the Biotechnology Innovation Organization, the biotech lobbying group; and five of the seven drugmakers whose executives — as Tillis laid out a pharma-friendly agenda for his new subcommittee — were getting chewed out by senators in a different hearing room over patent abuse. Cornyn Goes After Patent Abuse Richard Gonzalez, chief executive of AbbVie Inc., the company known for its top-selling drug, Humira, had spent the morning sitting stone-faced before the Senate Finance Committee as, one after another, senators excoriated him and six other executives of brand-name drug manufacturers over how they price their products. Cornyn brought up AbbVie’s more than 130 patents on Humira. Hadn’t the company blocked its competition? Cornyn asked Gonzalez, who carefully explained how AbbVie’s lawsuit against a generics competitor and subsequent licensing deal was not what he would describe as anti-competitive behavior. “I realize it may not be popular,” Gonzalez said. “But I think it is a reasonable balance.” A minute later, Cornyn turned to Sen. Chuck Grassley (R-Iowa), who, like Cornyn, was also a member of the revived intellectual property subcommittee. This is worth looking into with “our Judiciary Committee authorities as well,” Cornyn said, effectively threatening legislation on patent abuse. The next day, Mylan, one of the largest producers of generic drugs, gave Cornyn $5,000, FEC records show. The company had not donated to Cornyn in years. By midsummer, every drug company that sent an executive to that hearing had given money to Cornyn, including AbbVie. Cornyn, who faces perhaps the most difficult reelection fight of his career this fall, ranks No. 6 among members of Congress in drugmaker PAC contributions last year, KHN’s analysis shows. He received about $104,000. Cornyn has received about $708,500 from drugmakers since 2007, KHN’s database shows. According to OpenSecrets, he has raised more than $17 million for this year’s reelection campaign. Cornyn’s office declined to comment. On May 9, Cornyn and Sen. Richard Blumenthal (D-Conn.) introduced the **Affordable Prescriptions for Patients Act,** which proposed to define two tactics used by drug companies to make it easier for the Federal Trade Commission to **prosecute** them: “**product-hopping**,” when drugmakers withdraw older versions of their drugs from the market to push patients toward newer, more expensive ones, and “**patent-thicketing**,” when drugmakers amass a series of patents to drag out their exclusivity and slow rival generics makers, who must challenge those patents to enter the market once the initial exclusivity ends. **PhRMA opposed the bill.** **The next day, it gave Cornyn $1,000**. Cornyn and Blumenthal’s bill would have been “very tough on the techniques that pharmaceutical companies use to extend patent protections and to keep prices high,” Feldman said. “The **pharmaceutical industry lobbied tooth and nail against it**,” she said. “And **when the bill finally came** out of committee, the strongest provisions — the **patent-thicketing provisions — had been stripped**.” In the months after the bill cleared committee and waited to be taken up by the Senate, Cornyn blamed Senate Democrats for blocking the bill while trying to secure votes on legislation with more direct controls on drug prices. The Senate has not voted on the bill.

#### Infrastructure reform solves Existential Climate Change – it results in spill-over.

USA Today 7-20 7-20-2021 "Climate change is at 'code red' status for the planet, and inaction is no longer an option" <https://www.usatoday.com/story/opinion/todaysdebate/2021/07/20/climate-change-biden-infrastructure-bill-good-start/7877118002/> //Elmer

**Not long ago**, **climate change** for many Americans **was** like **a distant bell**. News of starving polar bears or melting glaciers was tragic and disturbing, but other worldly. Not any more. **Top climate scientists** from around the world **warned of a "code red for humanity**" in a report issued Monday that says severe, human-caused global warming is become unassailable. Proof of the findings by the United Nations' Intergovernmental Panel on Climate Change is a now a factor of daily life. Due to **intense heat waves and drought**, 107 wildfires – including the largest ever in California – are now raging across the West, consuming 2.3 million acres. Earlier this summer, hundreds of people died in unprecedented triple-digit heat in Oregon, Washington and western Canada, when a "heat dome" of enormous proportions settled over the region for days. Some victims brought by stretcher into crowded hospital wards had body temperatures so high, their nervous systems had shut down. People collapsed trying to make their way to cooling shelters. Heat-trapping greenhouse gases Scientists say the event was almost **certainly made worse and more intransigent by human-caused climate change**. They attribute it to a combination of warming Arctic temperatures and a growing accumulation of heat-trapping greenhouse gases caused by the burning of fossil fuels. The **consequences of** what mankind has done to the atmo**sphere are now inescapable**. Periods of **extreme heat** are projected to **double** in the lower 48 states by 2100. **Heat deaths** are far **outpacing every other form of weather killer** in a 30-year average. A **persistent megadrought** in America's West continues to create tinder-dry conditions that augur another devastating wildfire season. And scientists say **warming oceans** are **fueling** ever **more powerful storms**, evidenced by Elsa and the early arrival of hurricane season this year. Increasingly severe weather is causing an estimated $100 billion in damage to the United States every year. "It is honestly surreal to see your projections manifesting themselves in real time, with all the suffering that accompanies them. It is heartbreaking," said climate scientist Katharine Hayhoe. **Rising seas** from global warming Investigators are still trying to determine what led to the collapse of a Miami-area condominium that left more than 100 dead or missing. But one concerning factor is the corrosive effect on reinforced steel structures of encroaching saltwater, made worse in Florida by a foot of rising seas from global warming since the 1900s. The clock is ticking for planet Earth. While the U.N. report concludes some level of severe climate change is now unavoidable, there is still a window of time when far more catastrophic events can be mitigated. But mankind must act soon to curb the release of heat-trapping gases. Global **temperature** has **risen** nearly **2 degrees** Fahrenheit since the pre-industrial era of the late 19th century. Scientists warn that in a decade, it could surpass a **2.7**-degree increase. That's **enough** warming **to cause catastrophic climate changes**. After a brief decline in global greenhouse gas emissions during the pandemic, pollution is on the rise. Years that could have been devoted to addressing the crisis were wasted during a feckless period of inaction by the Trump administration. Congress must act Joe Biden won the presidency promising broad new policies to cut America's greenhouse gas emissions. But Congress needs to act on those ideas this year. Democrats cannot risk losing narrow control of one or both chambers of Congress in the 2022 elections to a Republican Party too long resistant to meaningful action on the climate. So what's at issue? A trillion dollar **infrastructure bill** negotiated between Biden and a group of centrist senators (including 10 Republicans) is a start. In addition to repairing bridges, roads and rails, it would **improve access** by the nation's power infrastructure **to renewable energy sources,** **cap millions of abandoned oil and gas wells spewing greenhouse gases**, **and harden structures against climate change**. It also **offers tax credits for** the **purchase of electric vehicles** and funds the construction of charging stations. (**The nation's largest source of climate pollution are gas-powered vehicles**.) Senate approval could come very soon. Much **more is needed** if the nation is going to reach Biden's necessary goal of cutting U.S. climate pollution in half from 2005 levels by 2030. His ideas worth considering include a federal clean electricity standard for utilities, federal investments and tax credits to promote renewable energy, and tens of billions of dollars in clean energy research and development, including into ways of extracting greenhouse gases from the skies. Another idea worth considering is a fully refundable carbon tax. **The vehicle** for these additional proposals **would be a second infrastructure bill**. And if Republicans balk at the cost of such vital investment, Biden is rightly proposing to pass this package through a process known as budget reconciliation, which allows bills to clear the Senate with a simple majority vote. These are drastic legislative steps. But drastic times call for them. And when Biden attends a U.N. climate conference in November, he can use American progress on climate change as a mean of persuading others to follow our lead. Further delay is not an option.

#### Warming entrenches Global North-South Inequality.

LA Times 19 9-15-2019 "Editorial: Wealthy Countries are Responsible for Climate Change, but it's the poor who will suffer most" <https://archive.is/aVCFf#selection-1989.1-2016.0> //Elmer

**Although the richest**, most developed countries in the world **are** overwhelmingly **to blame for** the catastrophe of global **climate change**, they are not **the ones who will suffer the most** from it. Who will? You guessed it: the **poorest countries**. The unfairness of that is self-evident, but so is the truth of it. For more than a century, the largest emitters of greenhouse gases, in total as well as per capita, have been the big developed nations, most notably the United States and the countries of Europe, which grew their economies by burning fossil fuels and spewing carbon from their factories, homes and cars. Today they still emit carbon and other greenhouse gasses disproportionately into the environment, although other big countries such as China and India have caught up. Yet even as the wealthy nations drive the world toward ecological disaster, it is clearly the poor countries that will face the gravest consequences and have the most difficulty coping. For instance, low-lying **Bangladesh**, already battered by increasingly powerful cyclones, **could lose 10% of its territory to the ocean** within a few decades, **displacing 18 million people**. **Political instability** and violence, **influenced** in part **by droughts and poor harvests**, **have** already **driven millions** of people **from their homes in** sub-Saharan **Africa and Central America.** A recent study from Stanford University found that **climate change** is **exacerbating global income inequality between wealthy nations** in cooler regions, **and poor nations** in hotter parts of the world. This is due, at least in part, to the relative inability of poorer countries to pay for the projects necessary to mitigate the effects of climate change, including more extreme weather events and the deterioration of arable land in subsistence economies. For instance, Miami Beach is spending hundreds of millions of dollars to raise streets and install pumps in preparation for the expected flooding from rising seas — but Port-au-Prince, Haiti, only 700 miles away, simply doesn’t have the resources for such projects. A report released last week found that extreme weather displaced 7 million people from their homes during the first half of 2019, especially in Asia and Africa. That set a new record, but researchers warned that the number of such events would increase as the climate continues to change.

## 4.

#### Reasonability on 1AR shells – 1AR theory is very aff-biased because the 2AR gets to line-by-line every 2NR standard with new answers that never get responded to– reasonability checks 2AR sandbagging by preventing really abusive 1NCs while still giving the 2N a chance.

#### DTA on 1AR shells - They can blow up a blippy 20 second shell to 3 min of the 2AR while I have to split my time and can’t preempt 2AR spin which necessitates judge intervention and means 1AR theory is irresolvable so you shouldn’t stake the round on it.

#### RVIs on 1AR theory – 1AR being able to spend 20 seconds on a shell and still win forces the 2N to allocate at least 2:30 on the shell which means RVIs check back time skew – ows on quantifiability. If they get 1AR theory, then we get the RVI – you should go for the shell in the 2AR if we were “infinitely abusive”.

#### No new 1ar theory paradigm issues or voters- A] the 1NC has already occurred with current paradigm issues in mind so new 1ar paradigms moot any theoretical offense B] introducing them in the aff allows for them to be more rigorously tested which o/w’s on time frame since we can set higher quality norms.

## Case

### Underview

#### Presumption and permissibility negates – a) real world policies require positive justification before being adopted b) the aff has to prove an obligation which means lack of that obligation negates

1. <https://www.merriam-webster.com/dictionary/affirm>, https://www.merriam-webster.com/dictionary/negate [↑](#footnote-ref-1)
2. “ought” https://www.dictionary.com/browse/ought [↑](#footnote-ref-2)