# NC

## Offs

### 1

#### Permissibility Negates –

#### 1. Semantics – Ought is defined as expressing obligation[[1]](#footnote-1) which means absent a proactive obligation you vote neg since there’s a trichotomy between prohibition, obligation, and permissibility and proving one disproves the other two. Semantics o/w – a) it’s key to predictability since we prep based on the wording of the res and b) it’s constitutive to the rules of debate since the judge is obligated to vote on the resolutional text.

#### 2. Logic – Propositions require positive justification before being accepted, otherwise one would be forced to accept the validity of logically contradictory propositions regarding subjects one knows nothing about, i.e if one knew nothing about P one would have to presume that both the “P” and “~P” are true.

Moral theories must judge action as a unified whole.  If they did not, the separate steps in the chain of action would not be justified.  In the process of doing a whole action, the steps are not disconnected, but rather so connected that one interruption would disrupt the entire action. **Rodl 2K,** Rodl I (Rödl, Sebastian. Self-Consciousness, Harvard University Press, 2000) **Suppose** I walked from a to c, via b.  It may be that **I decided to walk from a to b, and, having got there, [then] decided to walk from b to c.  Or I decided to walk from a to c, and did**.  In the former case, I was walking from a to b, and then I was walking from b to c.  But **only in the latter case**, not in the former, **was I walking from a to c.  As a movement, an action is not an aggregate, but a unity of phases.**

**And, that requires atemporal judgements – anything else can be disregarded at any moment which destroys motivation and culpability. Rodl 2,** Rodl I (Rödl, Sebastian. Self-Consciousness, Harvard University Press, 2000)**[Because] judgments that represent changeable states cannot be the ground of an intention**, which is the principle of a movement. So the necessarily represented **[a] unity of ends must bear a different kind of temporality.** We shall now suggest that the relevant unity is a unity not of desire, but of what we shall call infinite ends. Just as the concept of desire, so is our concept of an infinite end defined by the form of a thought that constitutes adherence to it. As a man may desire noble things, so may his infinite ends be base, if base things figure in his thoughts of the relevant form. All-things-considered **[while desire] judgments join subject and action**-form **at a time.** An intention joins them progressively, guiding the progress of the action. If the representation of **an infinite end** is to **provide[s] the principle of temporal synthesis of an action [and]**, it **must [not] join subject and action**-form neither **at a time** nor progressively, but in a way that, metaphorically speaking, always already contains the whole of a temporally extended action. We shall see that **this means that its predication is time-general.** “I am getting my tools because I want to repair my bicycle”, I say. “Why do you want to repair your bicycle?,” you ask. “ I want to go cycling.” But why go cycling? It is healthy. Is this an instrumental syllogism? It appears so. Does not it represent health as an end and cycling as a means? It is true, we call **[for example if] health [is] an infinite end.** But it is an end in a different sense from repairing a bicycle; the end and what is done in its service relate differently in these cases. Infinite ends are time-general; this distinguishes them from desires. I may one moment feel like going to the movies, the next moment feel like staying home, and a minute later again think that going to the movies would be nice. But it makes no sense to say that, one moment, I cared about my health, was completely indifferent to it the next moment, and a bit later again cared greatly about it. If I want health, **then [health] manifests itself in actions at various times; wanting health is time-general and not tied to a moment.**

#### Action theory comes first –

#### 1. States of affairs only care about ethical decision making insofar as there is an entity and an action that is coherent enough to achieve that normative end. Every decision made is an action, even inaction which means the NC is inescapable.

#### 2. The AC framework collapses – A) Culpability – To conceive yourself as the cause of your actions, an analysis of how one acts is a priori – otherwise we would never hold agents accountable since they would claim they were not an agent capable of generating an action with normative force. B) To evaluate virtue we have to judge the ethicality of agents over a plethora of actions, that necessitates a unified account of an agents actions that judges them holistically to determine ethicality; absent action theory we cannot effectively determine if someone is a good agent

### Contention

#### I contend that the aff violates the principles of action theory, the member nations of the WTO thusly have no obligation to reduce IP protections on medicines.

#### 1. Agency – The aff does not have a coherent conception of agency that can follow through on an action –

#### A) The aff defends multiple states taking the same action simultaneously which is incoherent since each state has its own set of obligations to its citizens and sets of laws. Absent a unified body they cannot act simultaneously. Aggregation fails to solve – agential quantities are not additive, 2 agents added to one another does not create a unified agent, in the same way 2 circles combined does not add to the circular quality of the object.

#### B) States aren’t agents – they cannot have a unified intention to act since each agent that comprises the state has a different understanding of the good

#### 2. Temporality – The aff violates the temporal conditions of action –

#### A) The aff assigns a temporal bound to its ethical claim since it isolates a particular time property rights are incoherent, namely when it applies to intellectual property and medicine

#### B) The aff can’t generate an atemporal obligation because it is contingent on empirical circumstances that the aff is currently taking place in (ie uniqueness)

### 2

#### Interpretation – Debaters must word all proposed theoretical interpretations (defined as proposed rules for the debate pertaining to the enforcement of fairness or education) as agential statements.

#### Violation – Their interp for K links to the aff indicates that K links must do the interp not that debaters or the aff or the neg must do it so its indicating a rule upon a state of affairs as opposed to an actor.

#### Standard –

#### Norm Setting – Demands absent an agent are unintelligable

#### **RÖDL**

Sebastian Rödl In Sergio Tenenbaum (ed.), Desire, Practical Reason, and the Good. Oxford University Press 138--160 (2010)

However, the fact that it would be good if p were the case need not speak in favor of thinking it good to bring it about. Even if it would be good if p, it may be that I must not bring it about. Perhaps it is someone else’s office, or duty, or privilege to bring it about, or perhaps its goodness depends on its not being brought about by anyone. This may seem to show that we must include in the outcome not only what in a strict sense is the result of the act, but furthermore the fact that I am producing or have produced it. The thought from which I derive an act of the will is not “It would be good if p,” but “It would be good if . . . [I, see to it that p ] . . . .” However, I cannot reason from this premise to “It is good to see to it that p ” or “I should see to it that p .” For while “It would be good if . . . [I see to it that p” is not originally a first-person thought, “It is good to see to it that p ” is. And without further premises, an originally first-person thought cannot be derived from a thought that is not originally first personal. 19 Adapting an example from Anselm W. Müller, 20 we can bring this out by turning to the second person. “You must drink this glass of water” addresses a demand to you**:** In virtue of its form, it presents itself as capable of determining your will. By contrast, “It must be the case that you drink this glass of water” refers to you and to the glass in the same manner; it no more addresses a demand to you than it does so to the glass. There is no way to derive a demand from it without relying on a demand already in place. An act of the will in virtue of its form is productive and therefore first personal. The alleged thought that it would be good if p were the case is not. This remains so no matter what is plucked into the content of “ p .” Hence, this alleged thought never provides a self-standing basis for a thought about what is good to do. 21 This shows that there is no self-standing use of good in application to states of affairs. An illusion of intelligibility arises when we unwittingly give the relevant phrase a sense that we do understand: relating a state of affairs to a given end. It is easy to fall prey to this illusion. It is well-nigh impossible not to fall prey to it when one does not even notice the difference between the use of good or ought as indicating a form of predication (which is productive and therefore first personal) and as a sentential operator.

#### Implications – a) Enforceability – proves your interp can’t be enforced in debate which hijacks every reason why it’s good. You can’t obligate arguments to do things as they don’t have wills so your interp fails to set a coherent norm for debate which o/w on longevity. Also means I meet the interp b) Precision – My interp encourages precise language in theory debate which is key since we should be able to look back at theory to determine directly what we as agents have to change to generate more fair and educational practices.

#### DD – a) deter abuse b) I spent time reading theory c) The round has already been skewed

#### CI – a) Reasonability is arbitrary since idk your BS meter b) It fosters the best norms through encouraging the fairest rule c) Reasonability collapses by debating the brightline

#### No RVI – a) It’s illogical to vote for you for being fair b) Rounds without theory would be irresolvable c) It incentivizes you to bait theory and win off a scripted CI

## Case

### Underview

#### Permissibility and Presumption –

#### All these arguments are warrants for presumption not permissibility, I only care about permiss but ill answer them anyway

#### On a – I have no reason to be epistemically skeptical of your name. We are, however, skeptical of ethical theories and things which require justification so it’s a false-equivalence

#### On b – we can presume falsity, we do it all the time because humans innately question logic which disagrees with their dispositions. 2) once we confirm something we can then act on it, its not endless questioning just before something is confirmed

#### On c – AC prepares for reactivity with framing, you can see my wiki and past 2Ns. You say reversibility but the aff can restart with their own hijacks and uplayers which solve.

#### On d – if we count 13 minutes of the neg as rebuttal than the aff has a 6-0 constructive advantage, I have to allocate. You say brute force but the 1ar decides the direction of the round which splits my 2N

#### Ill concede epistemic confidence

#### On 1AR theory – you get it but AFC has to be in the AC since otherwise I have no way of meeting. It’s a convention in LD to read different frameworks which makes the 1AR shift to AFC entirely unpredictable.

#### On CX Checks – a) treats all arguments in the aff as functionally conditional B) sets terrible norms since the aff can just be abusive and hope I don’t catch it. Friv theory good because even if it encourages marginally better norms they’re still better, the second reason makes no sense since you have I-meets.

On Constitutiveness –

### Framework

#### [1] Virtue ethics does not guide action; there are no clear principles for guiding action other than “act as a virtuous person would act given the situation.” And, different cultures promote different virtues which proves no UNIFIED account of ethics. [2] The ability to cultivate the right virtues will be affected by a number of different factors beyond a person’s control due to education, society, friends and family. Moral character is reliant on luck, leaving little role for appropriate praise and blame. [3] Virtue ethics can’t resolve conflicts in virtues when the requirements of different virtues point in opposed directions, e.g. if honesty points to telling the hurtful truth, while kindness and compassion to remaining silent or even lying. [4] Even if you accept their view of virtues, they are non-codifiable. This means we cannot use virtue theory as a criterion, since the criterion is codified. My opponent can claim he's a virtuous man, and “knows” the resolution is false because he possesses the virtues. But he can't claim “virtue theory” implies that the resolution is false.

Hursthouse, Rosalind, "Virtue Ethics", *The Stanford Encyclopedia of Philosophy (Summer 2012 Edition)*, Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/sum2012/entries/ethics-virtue/>.

In the early days of virtue ethics' revival, the approach was associated with an “anti-codifiability” thesis about ethics, directed against the prevailing pretensions of normative theory. At the time, utilitarians and deontologists commonly (though not universally) held that the task of [An] [E]thical theo[ry] [is]was to come up with a code consisting of universal rules or principles (possibly only one, as in the case of act-utilitarianism) which would have two significant features: (a) [can] the rule(s) would amount to a decision procedure for determin[e]ing what the right action [is] was in any particular case; (b) the rule(s) would be stated in such terms that any non-virtuous person could understand and apply it (them) correctly. Virtue ethicists maintained, contrary to these two claims, that it was quite unrealistic to imagine that there could be such a code (see, in particular, McDowell 1979). The results of attempts to produce and employ such a code, in the heady days of the 1960s and 1970s, when medical and then bioethics boomed and bloomed, tended to support the virtue ethicists' claim. More and more utilitarians and deontologists found themselves agreed on their general rules but on opposite sides of the controversial moral issues in contemporary discussion. It came to be recognised that moral sensitivity, perception, imagination, and judgement informed by experience—*phronesis* in short—is needed to apply rules or principles correctly. Hence many (though by no means all) utilitarians and deontologists have explicitly abandoned (b) and much less emphasis is placed on (a). Nevertheless, the complaint that [V]irtue ethics does not produce codifiable principles is still a commonly voiced criticism of the approach, expressed as the objection that it is, in principle, unable to provide action-guidance.

#### [5] There is no way to determine what is virtuous, the fwk is circular: What is good is virtuous and what is virtuous is good. This makes the round completely irresolvable, resolvability comes first because debate needs a winner.

### LBL

#### On the a point of the collapses argument – doesn’t solve action theory since it begs the question of how one takes an action. Even if we know which action you can’t obligate the actual willing of it

On the Hidden Supremacy argument – You can’t compell non-white-supremacist actions without an account of action theory; proves you fail to solve.

Education – [1] Not a reason to ignore the NC since there’s no implication to this argument [2] No reason we have an obligation to educate others about virtues

### AT

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### General

#### [1] Friendship – ownership is the only way to cultivate Aristotle’s ideal of political friendship. Such relations are born out of a willingness to share property that can only occur if such property is owned. That means all the reasons the aff is good flow neg since forcing individuals to give up their intellectual property diminishes virtue.

#### [2] Self-cultivation – the essence of all virtues is cultivation of the self. There is no value in product but there is value in self-formation. Preventing others from gaining wealth by simply recreating existent medicines forces the creation of new knowledge and ideas to improve the field of medicine entirely and benefit themselves intellectually.

#### [3] Turn – Cultivation of property in order to amass wealth and then be charitable is the exact definition of virtue. Take it from Aristotle

Jrank No date Wealth And Virtue <https://science.jrank.org/pages/11608/Wealth-Wealth-Virtue.html>

Aristotle (384–322 B.C.E.) identifies "liberality" as a virtue that is the mean between prodigality and illiberality. The context is money or wealth. The liberal man (the gender is not incidental) will "give with a fine end in view, and in the right way; because he will give to the right people, and the right amounts, and at the right time" (Aristotle [1976] p. 143:1120a25). When acting liberally, it is the disposition that matters, not the sum or sort of resources. Though giving is more virtuous than receiving, nonetheless, the "liberal" will accept wealth under similar constraints. The most important source of wealth is the ownership of property, especially landed property. This ownership is associated with other estimable traits such as responsibility, prudence, and steadfastness. By exercising these virtues, wealth qua landed property is sustained so that, accordingly, there are resources available with which to act liberally. Importantly, wealth thus understood imposes obligations; it does not reflect an acquisitive mentality and it is not valued for its own sake.

#### [4] Turn – The aff delegitimizes moral pride by polluting individual products for the purpose of collective knowledge which serves to dilute individual identity.

Peikoff 82

Aristotle Excerpts from The Ominous Parallels, by Leonard Peikoff. Copyright © 1982 by Leonard Peikoff. <http://aynrandlexicon.com/lexicon/aristotle.html>

For Aristotle, the good life is one of personal self-fulfillment. Man should enjoy the values of this world. Using his mind to the fullest, each man should work to achieve his own happiness here on earth. And in the process he should be conscious of his own value. Pride, writes Aristotle—a rational pride in oneself and in one’s moral character—is, when it is earned, the “crown of the virtues.”

A proud man does not negate his own identity. He does not sink selflessly into the community. He is not a promising subject for the Platonic state.

### AT Procedurals

#### [1] Procedural offense isn’t offense

#### a) Collapses every framework to deontology because it assumes freedom is a necessary pre-requisite to any ethics which is both unjustified and means agency is a prima-facie consideration to your framework. Agency can’t exist because individuals are merely collections of molecules controlled by physics – Flows neg since it denies culpability.

Coyne 12 Jerry Coyne, [Professor in the Department of Ecology and Evolution at The [University of Chicago](http://content.usatoday.com/topics/topic/Organizations/Schools/University+of+Chicago)], “Why You Don’t Really Have Free Will,” *USAToday*, January 1st, 2012 <https://www.ethicalpsychology.com/2013/12/why-you-dont-really-have-free-will.html?m=1>

The first is simple: **we are biological** creatures, **collections of molecules that must obey the laws of physics**. **All the success of science rests on the regularity of those laws, which determine the behavior of every molecule in the universe.** Those molecules, of course, also make up your brain — the organ that does the "choosing." And **the neurons and molecules in your brain are the product of both your genes and your environment,** an environment including the other people we deal with. Memories, for example, are nothing more than structural and chemical changes in your brain cells. Everything that you think, say, or **do, must come down to molecules and physics.** True "**free will**," then, **would require us to somehow step outside of our brain's structure and modify how it works**. Science hasn't shown any way we can do this because "**we" are simply constructs of our brain.** We can't impose a nebulous "will" on the inputs to our brain that can affect its output of decisions and actions, any more than a programmed computer can somehow reach inside itself and change its program.

#### b) Apprehension Paradox – If it is good to do ethics than there must be an external measure of good prior to ethics meaning your ethics isn’t THE good. If it’s not good to do ethics than the aff is unnecessary which flows neg on presumption

#### c) Goodwill exceptionalism paradox – individuals are virtuous based on what they do with what’s available. That means we don’t have any obligation to maximize available options since ethics are inevitable tailored. That’s a paradox: Either we have an obligation to make every ethical option accessible which obligates every individual to every action and collapses reasonable culpability or we have no obligation to open any ethical avenues and thus no individual is culpable for any action as there is no obligation to follow ethical procedure.

#### [2] Knowledge Problem – Their framework creates an unreasonable expectation to maximize intellectual capacity. That fails – in order to discover something, it must not be known, but in order to know to discover something, it must already be known – this makes the quest for knowledge incomprehensible and thus impossible.

### AT excellence

#### [1] this card is severely powertagged – it just talks about the aims of research but

#### [2] The primary goal of research is still discovery, discovery is just financially compensated. Patents don’t change the goal only the way we go about the goal. Turn – Patents are better for discovery because they encourage us to uncover new areas rather than become too focused on one which is obsessive

### AT social relationships/communalism

#### [1] Correlation not causation – virtuosity benefits the community because it denotes the excellence of man, however, to be virtuous one need not benefit the community

#### [2] Turn – the aff kills autonomy by removing authors individual control of their own works. They alienate authors from their own creations

#### [3] A virtuous person can exist in a bad community but a virtuous community can’t consist of non-virtuous people. That means we start at the person and work our way up so this arg comes second.

1. <https://www.merriam-webster.com/dictionary/ought> [↑](#footnote-ref-1)