# 1AC – Yale R4

## Overview

1. **I get 1AR theory. Otherwise, the 1NC can be infinitely abusive which outweighs on magnitude.** 
   1. **No neg RVIs because the 2NR can dump on it for 6 minutes and make the 2ar impossible – neg would always win**
   2. **It’s drop the debater because 1AR theory is a major commitment in such a short speech so dropping the argument is irrecprocal**

**2. Interpretation: Debaters must check their theory interpretations in cross-examination before reading them. To clarify, debaters must ask if their opponent wants to engage in a theory debate or strike the violating arguments from the flow.**

**Violation: It’s pre-emptive, but you violate if you read a shell without asking**

**Standard:**

**Substance education – checking in CX means we avoid theory debates that neither debater want, so we can spend more time on substance. Substance education is a voter and comes 1st because it’s the most exportable benefit of debate – we can always apply knowledge of the world around us.**

## Framework

#### Teleology is the starting point of ethics – we must first ask what is good, or what is the goal of being. The goal of ethics is to reach an end that is only good for its own sake.

Kraut 18

Kraut, Richard, "Aristotle's Ethics", *The Stanford Encyclopedia of Philosophy*(Summer 2018 Edition), Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/sum2018/entries/aristotle-ethics/>.

The principal idea with which Aristotle begins is that **there are differences of opinion about what is best for human beings, and that to profit from ethical inquiry we must resolve this disagreement.** He insists that **ethics is not a theoretical discipline: we are asking what the good for human beings is not simply because we want to have knowledge, but because we will be better able to achieve our good if we develop a fuller understanding of what it is to flourish**. In raising this question—what is the good?—Aristotle is not looking for a list of items that are good. He assumes that such a list can be compiled rather easily; most would agree, for example, that it is good to have friends, to experience pleasure, to be healthy, to be honored, and to have such virtues as courage at least to some degree. **The difficult and controversial question arises when we ask whether certain** of these **goods are more desirable than others. Aristotle's search for *the* good is a search for the *highest* good, and he assumes that the highest good, whatever it turns out to be, has three characteristics: it is desirable for itself, it is not desirable for the sake of some other good, and all other goods are desirable for its sake.** Aristotle thinks everyone will agree that the terms “*eudaimonia*” (“happiness”) and “*eu zên*” (“living well”) designate such an end. The Greek term “*eudaimon*” is composed of two parts: “*eu*” means “well” and “*daimon*” means “divinity” or “spirit”. To be *eudaimon* is therefore to be living in a way that is well-favored by a god. But Aristotle never calls attention to this etymology in his ethical writings, and it seems to have little influence on his thinking. He regards “*eudaimon*” as a mere substitute for *eu zên* (“living well”). These terms play an evaluative role, and are not simply descriptions of someone's state of mind.

#### Thus, the meta-ethic is orienting towards Eudaimonia – the condition of flourishing or living well.

1. **Inescapability – Eudaimonia is the inescapable end goal of humanity. Living well is good for its own sake – making it the highest good. We don’t live well as a means of achieving some other end. Every action we take is in some way aimed at living well.**

#### Sharpe 13

Matthew Sharpe. 27 Nov 2013,Stoic virtue ethics from: The Handbook of Virtue Ethics, Routledge, Accessed on: 24 Jun 2020https://www.routledgehandbooks.com/doi/10.4324/9781315729053.ch3:

However austere we may find Stoicism, it remains a eudaimonistic philosophy. As in all of the other ancient philosophical schools, the goal of human life for the Stoics is **happiness**, makaria **or** eudaimonia (Stob. II 77, 16–27). This goal, as A. A. Long and Terence Irwin have analyzed, condenses for all the Greek philosophers a number of agreed features. Eudaimonia is what every human being desires; it is the ultimate, if often unformulated, goal of all our various particular pursuits; it will be the complete good for us as **humans**, so the addition of any other things could not improve it; it will ideally involve a person’s whole life; it involves living or faring well (eu prattein); and it is intrinsically rewarding or beneficial, **the highest good** (Irwin 1986: 206–7; Long 1996: 182–3). In line with what Aristotle’s famous “function argument” of Nicomachean EthicsI. is usually taken to suggest, for the Stoa**,** eudaimonia is taken toinvolve the fulfilment or perfection of our distinctly human nature as rational animals (DL VII 90). The good life for the Stoa, if not for Aristotle, is the life lived in harmony (homologia) with nature (physis) (DL 87). And this, given human beings’ specific, rational capabilities, means a life lived according to reason, wherein our logos “supervenes upon” (epiginetai: DLVII 86) and redirects our first, animal impulses (see below).

#### Other moral systems collapse into Eudaimonian ethics – obligations to do certain things only exist because they help achieve Eudaimonia. Eudaimonia is the end of ethics.

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#### Eudaimonia is only achievable via virtuous action

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#### The standard is consistency with the golden mean – acting virtuously by tacking between excess and deficiency of virtue. Only this form of virtuous action achieves eudemonia.

Kraut 18

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Aristotle describes ethical virtue as a “*hexis*” (“state” “condition” “disposition”)—a tendency or disposition, induced by our habits, to have appropriate feelings (1105b25–6). Defective states of character are *hexeis* (plural of *hexis*) as well, but they are tendencies to have inappropriate feelings. The significance of Aristotle's characterization of these states as *hexeis* is his decisive rejection of the thesis, found throughout Plato's early dialogues, that virtue is nothing but a kind of knowledge and vice nothing but a lack of knowledge. Although Aristotle frequently draws analogies between the crafts and the virtues (and similarly between physical health and *eudaimonia*), he insists that the virtues differ from the crafts and all branches of knowledge in that the former involve appropriate emotional responses and are not purely intellectual conditions. Furthermore, **every ethical virtue is a condition intermediate** (a “golden mean” as it is popularly known) **between two other states, one involving excess,** and **the other deficiency** (1106a26–b28). In this respect, Aristotle says, the virtues are no different from technical skills: every skilled worker knows how to avoid excess and deficiency, and is in a condition intermediate between two extremes. **The courageous person**, for example, **judges that some dangers are worth facing and others not, and experiences fear to a degree that is appropriate to [their] circumstances**. **[They] lie between the coward**, who flees every danger and experiences excessive fear, **and the rash person**, who judges every danger worth facing and experiences little or no fear. Aristotle holds that **this** same topography **applies to every ethical virtue: all are located on a map that places the virtues between states of excess and deficiency**. He is careful to add, however, that the mean is to be determined in a way that takes into account the particular circumstances of the individual (1106a36–b7). The arithmetic mean between 10 and 2 is 6, and this is so invariably, whatever is being counted. But the intermediate point that is chosen by an expert in any of the crafts will vary from one situation to another. There is no universal rule, for example, about how much food an athlete should eat, and it would be absurd to infer from the fact that 10 lbs. is too much and 2 lbs. too little for me that I should eat 6 lbs. **Finding the mean** in any given situation is not a mechanical or thoughtless procedure, but **requires a** full and **detailed acquaintance with the circumstances.** It should be evident that Aristotle's treatment of virtues as mean states endorses the idea that we should sometimes have strong feelings—when such feelings are called for by our situation. Sometimes only a small degree of anger is appropriate; but at other times, circumstances call for great anger. The right amount is not some quantity between zero and the highest possible level, but rather the amount, whatever it happens to be, that is proportionate to the seriousness of the situation. Of course, Aristotle is committed to saying that anger should never reach the point at which it undermines reason; and this means that our passion should always fall short of the extreme point at which we would lose control. But it is possible to be very angry without going to this extreme, and Aristotle does not intend to deny this.

**Prefer:**

#### Bindingness - By default virtue ethics is more binding than other moral theories because a. virtues form the foundation of goodness and morality and b. the more virtue determines the strength of moral obligation. Virtue or goodness comes before obligation or right action. Hijacks any other framework because we need to define virtue to create obligations.

#### Greco 11

<https://plato.stanford.edu/archives/fall2015/entries/epistemology-virtue/#Ske>

A Platonistic account like the one Adams puts forward in Finite and Infinite Goods clearly does not derive all other normative properties from the virtues (for a discussion of the relationship between this view and the one he puts forward in A Theory of Virtue (2006) see Pettigrove 2014). Goodness provides the normative foundation. **Virtues are** not built on that foundation; rather, as **one of the varieties of goodness of whose value we are most confident**, virtues form part of the foundation.Obligations, by contrast, come into the account at a different level. Moral obligations, Adams argues, are determined by the expectations **and demands** that “arise in a relationship **or system of relationships** that is good or valuable” (1999: 244). Other things being equal, the more virtuous the parties to the relationship, the more binding the obligation. Thus, within Adams’s account, the good **(which includes virtue)** is prior to the right. However, once good relationships have given rise to obligations, those obligations take on a life of their own. Their bindingness is not traced directly to considerations of goodness. Rather, they are determined by the expectations of the parties and the demands of the relationship.

#### Constitutivism - Virtue ethics is constitutive to debate, as by debating we are exercising intellectual courage and gaining understanding. Only virtue ethics is capable of explaining why intellectual understanding is good. Any other moral framework would not justify debate, destroying the activity

#### Greco 11

<https://plato.stanford.edu/archives/fall2015/entries/epistemology-virtue/#Ske>

The approach's significance is not limited to solving the value problem. It is also plausible that the successful exercise of intellectual courage is also valuable for its own sake, and also constitutive of the best intellectual life. And there is a long tradition that says the same about wisdom and the same about understanding. This suggests that there are a plurality of intellectual virtues, and their successful exercise gives rise to a plurality of epistemic goods. The best intellectual life — intellectual flourishing, so to speak — is rich with all of these (Greco 2004, Riggs 2003, Sosa 2003, Zagzebski 1996). For criticism of this line, and an alternative approach to the value problem within a VE framework, see Pritchard 2010.

1. Philosophy Education **– the use of virtue ethics enables us to discuss policy decisions under an uncommon moral framework. Philosophical dialogue is important because we apply ethics to social situations every day. Philosophy education is key in this round because it’s unique to LD – there are very few activities that enable high schools students to discuss philosophy**
2. Accessibility **– Virtue Ethics makes debate more accessible. That comes 1st because accessing debate is prerequisite to its benefits.**
3. **Only it provides a method for the integration of many different pluralistic values stemming from many different cultural and mental ones. This is key for debate because it is a highly pluralistic space full of people from different backgrounds, which means that Virtue Ethics is key to fostering inclusion in the space.**
4. **The literature base for virtue ethics is considerably smaller than that of other frameworks. This increases predictability and prevents the negative from reacting to nearly infinite hyper-specific affirmatives.**
5. **Virtue Ethics’ small literature base makes it easier for small schools to complete adequate research.**

#### Virtue ethics are a good standard to base health ethics on – we already do it and it ensures care is high-quality

Rozier 16

Rozier, Michael. "Structures Of Virtue As A Framework For Public Health Ethics." Public Health Ethics. 2016. Web. August 20, 2021. <https://doi.org/10.1093/phe/phv036>.

**Virtues are not foreign concepts in** the fields of medicine or **public health. When a physician encourages a** hypertensive **patient to reduce** his **sodium intake** or a public health campaign educates a community about the same, **it is encouraging temperance. When patients are asked to complete a regimen of antibiotics even after they feel better** in order to prevent future drug resistance, **the physician and public health community are asking for fortitude. And when a first responder treats a patient based on medical need rather than wealth, they are responding to society’s desire for justice**. In other words, **the daily rhythm of our medical and public health systems are already characterized by the promotion of virtue**. The primary struggle in bringing virtue to bear in public health is the challenge of connecting individual virtue with population- level activities. For most of its history, virtue has been located at the individual level. The ancients, including Plato and Aristotle, were concerned with personal virtue, particularly wisdom, although it was in the context of right relationship with friends or educating virtuous citizens for the polis. Thomas Aquinas’ (2008: I–II.63.3) extensive writings cast virtue as even more intensely personal because his theological virtues, the only ones that can be perfect, were infused by God rather than acquired through habituation. Then, after falling out of favor during the Enlightenment, a mid-20th-century renaissance of virtue ethics explored its potential within communities and even within the field of bioethics. During this period, Alasdair MacIntyre (1981) notably emphasized the context of a community that could support and sustain the virtues sought by an individual. Justin Oakley presents Phillipa Foot’s (1977) article on euthanasia as the first to use virtue ethics to inform a bioethical dilemma (Oakley, 2013: 215). Yet, despite a few notable applications in bioethics, Oakley suggests: there has been relatively little work by virtue ethicists on various questions of justice in health care, including issues of health-care resource allocation, access to genetic testing, ethical concerns raised by infectious diseases and emerging pandemics, and access to affordable medicines by those in developing countries. In more recent studies, Gardiner (2003) explored two ethical dilemmas—a case of a Jehovah’s Witness refusing a blood transfusion and another about organ markets—where he accounts for health systems, but the primary unit of analysis is the individual. And Wendy Rogers’ (2004) article on virtue ethics in public health practice does place a greater emphasis on the value of virtue in communal activities, but she does not apply it to any specific case. Given the historical emphasis of individual virtue, it is understandable why population level bioethics has not often sought the wisdom of virtue ethics.

## Contention

**I affirm resolved: The member nations of the World Trade Organization ought to reduce intellectual property protections for medicines.**

**I affirm the whole resolution as a general principle, so PICs don’t negate, just like penguins don’t disprove that birds can fly**

#### 1. Open source projects promote virtuosity – they encourage professional excellence, civic cooperation, and intellectual exploration. WTO IP protections disincentivize open source.

Opderbeck 07

Opderbeck, David. "A Virtue-Centered Approach To The Biotechnology Commons (Or, The Virtuous Penguin).” June, 2007. Web. August 20, 2021. <https://digitalcommons.mainelaw.maine.edu/cgi/viewcontent.cgi?article=1306&conte xt=mlr>.

The virtue ethics notions of community and practices seem to map well onto the open source space. As Yochai Benkler has noted, open source communities require a system of "social- psychological" rewards in order to flourish. 75 Such rewards can include the sort of"intemal goods" found in Maclntyrian "practices." 76 For example, a coder **working on an open source** software **project might participate**, at least in part, **for the joy and satisfaction inherent in creating an elegant solution to a technical problem**. 77 In addition, mature **open source projects** do not proceed aimlessly, but **include standards of excellence established by the community** and usually canonized by an influential individual or small group of individuals. 78 Finally, **a pillar of open source production is the systematic extension of the project through the continuous feedback** provided by numerous distributed workers. 79 A tension might arise, however, between Maclntyre's emphasis on a community's authoritative text or voice and the notion of open source production as an enterprise comprised of essentially self-actualizing individuals. In fact, Y ochai Benkler and Helen Nissenbaum emphasize the virtue of "autonomy" as a core aspect of a virtue ethics approach to commons-based peer production. 80 Benkler in particular emphasizes the ways in which open source peer production contributes to justice by allowing space for individual autonomy.81 But open source communities should not be conceived of as fractiously individualistic. A successful, long term open source community requires an authoritative voice or voices that regulate exchange, lend status to social- psychological rewards, and canonize valuable contributions to the project. 82 **Open source production can** indeed sometimes **provide more space for individual creativity** and expression than traditional hierarchical production, but such creativity and expression should be **conceived in terms of virtues that lend themselves to communal practices**, with such practices embedded in the narrative tradition of the community. Once **open source** communitie**s** are conceived in Maclntyrian terms, it is possible to identify virtues that **support the flourishing of such communities**. Benkler and Nissenbaum **identify three "clusters" of virtues that relate to peer production: (1)** "autonomy, **independence**, liberation"; 83 **(2) "creativity**, productivity, industry"; 84 (**3**) "benevolence, charity, generosity, altruism"; 85 and "sociability, camaraderie, friendship, **cooperation, civic virtue**." 86

#### 2. Biotechnology access is hampered by intellectual property protections and open sourcing in a virtuous way solves all of those issues.

Opderbeck 07

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In this vein, we can view biotechnology, like the communications networks with which Benkler usually is most directly concerned, as another medium of information exchange. It is tempting to draw direct parallels between computer information networks and biotechnology. Computer networks are controlled by computer code, such that control over the code equals control over the content delivered across the network. 102 A society that values the free exchange of ideas should therefore value an open code architecture across such computer information networks. Similarly, one could suggest that biological organisms are controlled at least to some extent by genetic code, and that those who are able to control genetic code through biotechnology will be able to control the organism, including people. The distribution of control over genetic code across peer production networks then could represent a means of democratizing control over life itself. I have previously noted a number of difficulties with this approach. 103 In particular, it is not so simple to tease out a "code layer" in a living organism that might be amenable to peer production. 104 Although DNA is a type of code, it is far more complex than a typical computer program, and the hardware and craft knowledge needed to isolate and manipulate genetic code is not widely available. 105 Nevertheless, **there may be a role for open source production in biotechnology at the broad level of basic research and large-scale genomic databases and at the level of certain enabling technologie**s. 106 For example, the Cambia "BIOS" initiative and the HapMap project represent steps in this direction. And, it is at this level of basic "upstream" research that fears of a biotechnology anticommons are most tractable. **The deadweight loss of patent protection** in this arena **can represent significant human suffering**. The debates about biotechnology patents, then, are essentially debates about information-code-that concerns public health. We are concerned about access to biotechnology and biotechnology innovation because of the immense promise and perils of this technology as it relates to human health. **Biotechnology could hold the key to a cure for AIDS or the safe disposal of the world's toxic waste. It also could generate vast waves of environmental and social disruption**, for example, if non-fertile genetically modified crops hybridize with indigenous food supplies and render them sterile. In this regard, it should be clear that**, from a virtue ethics perspective, it is not enough to treat biotechnology as simply a product in a market.** Although the products of biotechnology practice can be commodified and traded in markets, and although such markets can be an important component in biotechnology policy, markets are not the raison d'etre of biotechnology. **Biotechnolog**y, then, is more than a set of products; it **is a** Maclntyrian **practice that seeks to improve human health and wellbeing**. In his keynote address at BIO's 2005 annual convention, BIO President and CEO James Greenwood told the conferees, "[Y]ou serve every man, woman and child on earth. And even more impressively, you serve the uncountable billions of humans who will inhabit this planet after we are gone." 107 Greenwood expressed the biotechnology community's vision, hyperbolically but no doubt sincerely, as follows: The convergence of systems biology, genomics, infomatics, proteomics, nanotechnology and personalized medicine bring us to the threshold of a new era: In the biotech century, using genetically enhanced crops, we will better feed an increasingly hungry world. In the biotech century, we will harness enzymes to convert plant waste to fuel and to biodegradable plastics, reducing our dependence on oil. In the biotech century, we will be able to outpace the tortures of[D]arwinian natural selection and its afflictions of disease. There is no more noble-and no more heroic-mission than this. 108