# Bronx R4

#### First, ethics are split between the deontic and aretaic. Deontic theories answer what agents should do according to a moral code, while aretaic theories answer what kind of agent people should be to make the right decisions.

**Gryz, 1** (Jarek Gryz, Professor in the department of Electrical Engineering and Computer Science at York University, Research Faculty Fellow at Center for Advanced Studies., 12-15-2010, accessed on 8-21-2021, Springer, "On the Relationship Between the Aretaic and the Deontic", DOI 10.1007/s10677-010-9258-3)//st

There are two fundamental classes of terms traditionally distinguished within moral vocabulary: the deontic and the aretaic. The terms from the first set serve in the prescriptive function of a moral code. This function consists in providing answers to questions like: What am I (morally) required to do? Answers to such questions usually have the grammatical form of an imperative and are called “prescriptions”, “moral norms”, “rules”, “precepts”, or “commands”. They are expressed by means of such terms as: ‘right’, ‘obligation’, ‘duty’, etc. The second class contains terms used for a moral evaluation of an action (or an actor). Such moral evaluation is not primarily intended to direct actions, although it seems capable of performing this function as well. Terms used for evaluations include: ‘good’, ‘bad’, ‘blameworthy’, ‘praiseworthy’, ‘virtuous’, etc. The ‘right’ is the key notion of the normative part of a moral theory; the ‘good’ is used to express moral judgments.

#### To clarify, deontic theories guide ethics by looking at the actions of moral actors, whereas aretaic theories guide ethics by looking at the character of moral actors themselves. By developing good moral character, good actions will naturally follow.

#### Prefer the aretaic:

#### [1] Hijacks – Every action in the deontic can be expressed in the aretaic, but only the aretaic can break free of the right/wrong binary with its richer vocabulary.

**Gryz, 2** (Jarek Gryz, Professor in the department of Electrical Engineering and Computer Science at York University, Research Faculty Fellow at Center for Advanced Studies., 12-15-2010, accessed on 8-21-2021, Springer, "On the Relationship Between the Aretaic and the Deontic", DOI 10.1007/s10677-010-9258-3)//st

The way we use words ‘good/bad’ and ‘right/wrong’ seems to support the above claims. Goodness and badness come in degrees, hence we have words like ‘better’ and ‘worse’; we lack similar terms for deontically evaluated actions. The availability of degree terms in the former case seems to indicate the presence of many criteria used in evaluation; an all-or- nothing choice, implied by the use of ‘right’ or ‘wrong’, suggests focusing on only one quantum quality.12 But fine-grainedness is not only a property of particular aretaic terms, the entire aretaic vocabulary is infinitely richer and allows us to draw much finer distinctions in act-evaluations than the deontic vocabulary. For example, by saying that something is praiseworthy we impl[ies] that it deserves approval or favor: we assess it higher when we say that it is admirable, since then it should be also respected and honored. The meaning of the word ‘praiseworthy’ can be quite well conveyed by saying, that it is something that ought to be done, or that it is the right (in Ross’s understanding of ‘right’) thing to do: yet expressing the word ‘admirable’ in deontic vocabulary seems just impossible. From what has been said so far one can derive an encouraging conclusion for the advocates of attractive ethics. Sheer richness and fine-grainedness of aretaic vocabulary seems to be a good reason for believing that all that can be said in deontic terms can be equally well expressed in aretaic terms. This is not to say, however, that we can produce a translation manual which would provide us with a general method of expressing deontic notions in terms of aretaic ones for all possible cases. In particular, it does not seem possible, as we hope to have shown, to substitute ‘good’ for ‘right’ or ‘deplorable’ for ‘wrong’. The relation between the aretaic and the deontic seems to be somewhat similar to the relation between the physical and the mental in the mind-body problem. We can claim that deontic is supervenient on the aretaic without committing ourselves to the idea of complete definitional reduction. In other words, we may allow for token identity (each particular action can have an aretaic description that perfectly matches the deontic one) and deny the possibility of type identity (that there is aretaic sentence true of all and only the actions having some deontic property). If this analogy is correct then the idea of definitional reduction of the deontic to the aretaic, and in particular, Stocker’s identification of rightness and goodness, is doomed. But we can still pursue a more modest goal. If our task is just to substitute every particular deontic evaluation with an aretaic one, there are no logical reasons that would make it impossible (it would not work, of course, in the opposite direction). From that perspective, attractive ethical theories seem to be much better off than the imperative ones.

#### [2] Collapses – A. If agents were conditioned properly, they would independently take the right actions, which hijacks deontic theories. B. Infinite regress – we can always ask why to follow a deontic rule, but the answer will terminate in attempting to achieve some aretaic property.

#### [3] Prerequisite – The origin of philosophy had to start through an aretaic paradigm since there were no preconceived notions or rules that we needed a guide towards the good; they chose to develop the good out of their own volition; without the aretaic there’d be no reason to do good things unless we wanted to become better people.

#### [4] The deontic fails – Moral laws are socially constructed and dependent upon the places and conditions where they will be in use which means they are subjective and fail; moral law can’t account for every single situation, but virtue solves and is more flexible since good agents will do good actions.

#### Next, the only ethics consistent with the aretaic is a virtue paradigm. Instead of prescribing normative claims to action, virtue focuses on developing agents to make them virtuous.

**Reader,** (Soran Reader, Soran Reader is Lecturer in Philosophy at Durham University and is editor of The Philosophy of Need (Cambridge University Press, 2006)., December 2000, accessed on 8-22-2021, Springer, "New Directions in Ethics: Naturalism, Reasons, and Virtue.”", http://www.jstor.org/stable/27504153)//st

The centrality of virtue ethics emerges clearly in relation to the themes of the previous two sections. With the first theme, the naturalness of ethics, virtue ethics leads the field in making available a second-natural explicatory account of ethics. A virtue just is a capacity, learnable by beings with our biological nature, which both manifests the flourishing nature of the agent and seeks the flourishing of that to which it responds. With the sec ond theme, of practical reasons, things are less straightforward. It is not obvious that the virtues are our moral reasons for acting, although we cannot explain what the good agent does without reference to their virtues. I explore this question further below. A virtue is a free disposition to act in certain ways under certain conditions. Virtue ethics claims that what is to count[s] as a good action or what is a good outcome is conceptually dependent on claims about the virtue of an agent. How is this dependence supposed to work? Where those after an explanatory account seek a conceptual connection with something like a normative 'in itself, virtue ethicists instead explore the concrete dependence of moral activity on the possibility of learning from already virtuous agents. They hold that the key to moral rationality is found in moral education. Ethics begins with the apprentice moral agent ? the child, or the foreigner, or the damaged person in rehabilitation are all examples. These beginner-agents learn from the experienced, wise moral agent by copying by mimicking in their actions the actions of the virtuous agent. This mimicking, or 'going on in the same way', does not presuppose that the learner agent acquires any representations of how the world is (i.e., beliefs), nor that they acquire the ability to report on or provide justifications for what they do. Virtue is learned by cottoning on to virtuous ways of doing things, going on to do the same, then going on to do the same in new ways, once they have mastered the skill.16 The way virtue and character is supposed to be basic here is simply displayed in the analogy: there is and can be nothing 'behind' the expertise of the phronimos which can explain or justify it (any more than there is anything 'behind' the expertise of the doctor or the navigator, to use Aristotle's examples at NE 1104b7-l 1). Of course, plenty more can be said about it, and shortcuts can be found to aid the learning of those who have already mastered other skills (so competent rule-followers can learn from being given rules, just as competent grammarians can learn a new language from the grammar). But we should not confuse what it is possible to say about the skill of being moral, with what constitutes it. The burden of proof now rests with those who want to resist the idea that ethics is, at bottom, a way of doing things (specifically, living a good human life), and want to find a more fundamental notion than the practi cal skill that the virtuous person has. We approach this problem after Wittgenstein: he argued that 'rules' or 'interpretations' cannot be fundamental in our rationality, but that an actual way of going on comes first.17 McDowell (1979) first applied this insight to moral philosophy; its import has yet fully to be appreciated.

#### The standard is consistency with the cultivation of virtue.

#### Impact Calc –

#### [1] There is a distinction between procedural and substantive actions. Procedural actions allow agents to engage under the framework to practice virtue while substantive offense is an unvirtuous action. Procedural offense comes first since A) Prereq – if it’s impossible to engage in the framework it’s impossible to generate a substantive ethical conclusion from it B) Magnitude – being incapable of generating ethical principles is an intrinsic wrong that infinitely violates all the ethical decisions that you would have made under the framework C) Character – virtues are a mindset to do the right thing so they must be realized, not forced. Agents must be able to cultivate their own virtues – if I force a person to never lie that won’t develop their character.

#### [2] Not consequentialist – Consequences only evaluate the direct consequences of the action but not the way that it affects someone’s moral character. Virtues aren’t end goods like pain and pleasure – it’s not something that should be maximized all the time unconditionally, instead, agents should focus on developing a character that can use virtue appropriately.

#### [3] Consequences fail – A) Induction Fails – You only know induction works because past experiences have told you it has, but that is in itself a form of induction, so you use induction to prove induction – that’s circular B) Butterfly Effect – Every action has an infinite number of consequences that stem from it – me picking up a pen could cause nuclear war a hundred years down – you can’t quantify the infinite amount of pain and pleasure to come C) Aggregation fails – everyone has different feelings of pain and pleasure, so you can’t universalize that and say it’s good – it’s impossible to measure something that’s completely subjective D) Culpability – any consequence can lead to another consequence so it’s impossible to assign obligations since you can’t pinpoint a specific actor that caused a consequence.

#### Prefer additionally:

#### Hidden Supremacy – Only virtue ethics can account for degrees of white supremacy – other theories cannot resolve microaggressions and unintentional forms of racism that occur pre-consciously. O’Connel.

[O’Connel, Maureen. “After White Supremacy? The Viability of Virtue Ethics for Racial Justice.” Journal of Moral Theology. Published 2014] SHS ZS

In addition to a way of thinking and knowing, **white supremacy can** also **be understood as a habituated set of dispositions** and prac- tices, **performed with varying levels of intentionality** (discussed in further detail in the next section) **and calcified over lifetimes and generations**, which inform and reinforce whites’ individual and col- lective stances toward themselves and others. MacMallin explains **whiteness in terms of “the practices, habits, and assumptions that impede human flourishing** and democracy and that **stem from the concept of whiteness as a superior and pure group** within the human family.”26 **Whiteness**, he contends, is a predisposition that **runs deep- er than our intentional will and organizes both thought and behavior consciously and pre-consciously**. In terms of the dispositional dimension of the habitus of white- ness, **scholars identify fear and hatred of racial others**, and the confu- sion of navigating the contradictions and cognitive dissonance of whiteness, evidenced by the fact that **most stereotypes of people of color are** deeply **rooted in affective dimensions of the self**. Everyday practices of white supremacy are too many to enumerate here but generally include a general antipathy to difference, a sense of enti- tlement to social advantages, denial of the reality of racism or shock when confronted with overt expressions of racism, or guilt about ra- cial injustice. Applebaum identifies **a common denominator in the “belief in one’s authority and in one’s own experience as truth**” along with “**an unwillingness to be challenged** that is protected by perceived white moral goodness or white benevolence.”27 The habit- uation of **whiteness** is not limited to individuals but also **depends on the social context of many racial events**, where the reception of these habits by other members of the dominant group only further en- trenches them in the self-understanding and worldviews of individual members and the group as a whole. Yancy identifies several such habits of whiteness: **clutching purs- es, crossing streets or locking car doors as men of color approach**, and policing one’s thoughts for political correctness or one’s neigh- borhood for residential correctness. Psychologist Derald Wing Su describes these habits in terms of “**microaggressions**” or regular in- sults, assaults or invalidations unknowingly communicated verbally, **nonverbally or symbolically by good intentioned whites that convey messages of our own superiority** or normativity and another’s inferiority or difference.28 These might include inabilities to properly pro- nounce or remember names of persons of color, inquiring as to their country of origin or qualifications for a job or degree, or invalidating their experience by simply not asking about it.Obviously, the **habitual characteristics of white supremacy corre- late to features of virtue ethics**, which we will turn to in the next sec- tion. For now, I call attention to Yancy’s observation that “**the ways in which whites have *become* the *white* selves we are**”29 underscores the point that **whiteness is an unfolding social construct in which whites participate**, and **this construct shapes our way of being**, not simply our way of seeing or of thinking, in ways that we are not able to recognize. **It also shapes our physicality**. Karyn McKinney notes that for many Euro-Americans, “becoming white,” an assimilation process that spans generations and is easier for those without distinc- tive ethnic markers such as skin color, comes at the cost of cultural distinctiveness so essential for identity and character formation.30 Moreover, neurologists are discovering the impact of the dispositions and practices of whiteness on the biochemistry of the human brain.31

#### Education – Only a virtue ethicist methodology allows for teachers to cultivate epistemic virtues within their students which is necessary for true learning and allowing educators to achieve their true form. Carr.

[Carr, David. “Virtue Ethics and Education.” Oxford Handbooks Online. <https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199385195.001.0001/oxfordhb-9780199385195-e-10?result=3&rskey=1fWPVQ>. Published February 2018] SHS ZS

IV. The Epistemic Virtues of Good Teaching. Having said this, a person might well be a fine moral example to others, but still not much of a teacher. The obvious reason for this is that **while** in the broader educational context, **good teaching may** well involve helping to **shape** the **characters** of others **through example**, **it is also no less concerned with the business of helping others to acquire the various kinds of academic knowledge and practical skills that are the key professional concern of teaching**. Still, this is not obviously reducible to simply possessing the required knowledge and skills. Thus, it is conceivable that **someone engaged as a teacher might well be liked and respected as a person by pupils—and also have the wide knowledge of a subject or skill acquired from a first-class university education—but nevertheless lack the capacities to teach very well what she is employed to teach**. To be sure, some of these capacities may come under the heading of so-called teaching skills, and helping prospective teachers to acquire such pedagogical techniques has long been the standard fare of schools of teacher training. For example, failure to speak loudly or clearly may inhibit or undermine the ability of a trainee teacher to communicate knowledge effectively, or she may also need some assistance to understand how to organize the content of her lessons in a perspicuous or learner-friendly way. Even so, **it is yet possible that a teacher might be well liked by pupils and a technically competent communicator of knowledge, but still lack capacities associated with the best conceivable teachers.** Perhaps the teacher in question was compelled by others to follow his or her university career and then entered teaching because no other career was readily available. It seems to be considerations of this sort that have drawn recent philosophers of education to some interest in the capacities that Aristotle distinguished from moral virtues as ‘epistemic virtues.’26 Unlike the moral virtues (governed by the intellectual virtue of phronesis) of main concern in this volume, the **epistemic virtues are not directly concerned with the formation of moral character, but with** the discernment or **discovery of truth**. Epistemic virtues would include such **attitudes or capacities as appetite for** (p. 653) **knowledge, intellectual curiosity, respect for truth, open-mindedness, scholarly rigor, academic scruple, and so forth**. While capacities such as respect for truth or (perhaps more simply) honesty might also be considered moral virtues in some contexts, they are by no means necessarily so, and a Dr. Faustus driven by the rigorous search for truth might well be an utterly morally unscrupulous person.27 Still, given that **it is surely a large part of the teacher’s role to inspire love of his or her subject in others** and to help them grasp the value of truth or excellence in academic inquiry or practical performance, it seems no less clear that **a morally virtuous agent who lacked such qualities would not count as much of a teacher no matter how much knowledge or skill he possessed.** It is in this light that a recent work of educational philosophy focused on the pedagogical significance of epistemic virtues has highlighted the professional significance for teachers of what it calls “epistemic presence” in the classroom.28 In any event, despite what one might still regard as the rather slow uptake of interest in the topic on the part of latter-day educational philosophers, **the case is undoubtedly strong for regarding virtue ethics as helpful for any full understanding of educational practice**—not just in relation to the wider moral education and character formation of pupils, but also regarding the development of the sort of attitudes and virtues needed by teachers to assist such formation and to prosecute **the key pedagogical task of inspiring pupils with a love of learning for its own sake**. In this regard, it is not just that recent tendencies to conceive education and schooling in narrowly instrumental terms of the transmission of economically useful knowledge and skills have neglected the wider character developmental dimensions of education, but that no less **recent attempts to reduce the occupation of teaching to a list of skill-based competences have failed to do justice to not only the intellectual**, but also the affective and motivational aspects and demands of good school and classroom practice. **Good teaching**—or being a good teacher —**is** more than just possessing knowledge and the skills for the mechanical transmission of such knowledge, but of **appropriate attitudes toward knowledge**, capacities for positive human association, and some measure of morally virtuous character, in the absence of which no instruction or pupil learning could be very educationally meaningful. In sum, **teaching**—especially in the contexts of contemporary schooling—**is a professionally complex activity requiring a wide and diverse range of personal qualities, abilities, and capacities**. To be sure, the most obvious professional requirements of teachers are some knowledge of what is to be taught—perhaps broader general knowledge in the case of primary teachers and more specialized knowledge in the case of secondary teachers—and some technical competence regarding the teaching of it. But **it would clearly miss much to conceive good teachers and teaching merely in terms of competent communication of secondhand knowledge**. Such teachers are also those who value knowledge and appreciate its significance for the broader moral and other personal formation of young people, and who therefore require singular qualities of personal relationship to both what is taught and those to whom it is taught. **To be a good teacher**— certainly qua educator—**is to be not just an effective knowledge transmitter, but a particular kind of person capable of distinctive personal relationships and (p. 654) passions.** As we have tried to show, the value of virtue ethics lies in the insights that it can afford—more, perhaps, than any other science or discipline—into these distinctive relationships and passions.

#### This outweighs on portability – only the aff provides us with a means of education and empowerment that we can use later in our lives to discover epistemic truth and learn.

## Offense

#### I defend “Resolved: The member nations of the World Trade Organization ought to reduce intellectual property protections for medicines” pics and cps don’t negate because virtuous rules allow for exceptions and proving that you can be virtuous in another way doesn’t disprove that you can be virtuous in this way.

#### Reducing patents creates open-source communities – information held back by patents will be open to the public once there are less restrictions on it.

#### Affirm –

#### [1] Excellence – to create a good scientific community, researchers must contribute their findings to allow others to research as well. Patents encourage greed and self-interest, which defeats the point of creating a virtuous community.

**Opderbeck, 1** (David Opderbeck is Associate Professor of Law and the Director of the Gibbons Institute of Law, Science and Technology at the Seton Hall University School of Law, 11-2-2017, accessed on 8-11-2021, University of Maine School of Law Digital Commons, "A Virtue-Centered Approach to the Biotechnology Commons (Or, The Virtuous Penguin)", [https://digitalcommons.mainelaw.maine.edu/mlr/vol59/iss2/5/)](https://digitalcommons.mainelaw.maine.edu/mlr/vol59/iss2/5/)%20) //st

C. Applications of Open Source, Environmental, and Health Care Virtue Ethics to Biotechnology Against this background of how virtue ethics has been applied to open source communities, environmental problems, and health care, it is possible to identify several themes that can support a virtue ethics approach to open source biotechnology. First, biotechnology is part of a broader community of science. We should ask, ''what characteristics are embodied in the biotechnology community that, if developed, will enable it to function as an excellent scientific/public health community?" The communitarian focus of virtue ethics maps well onto the ideal of biotechnology research as a community of science. The communitarian focus also encourages us to think about what sort of community we want the biotechnology community to become. As we consider biotechnology as a community, we can focus on the practices that support the virtues integral to that community. Here, the concepts of "internal goods," "standards of excellence," and "systematic extension" are inherent both in communities of science as well as in open source communities. The environmental virtue ethics concept of "agent benefit" also meshes well with this teleological, practice-oriented view of biotechnology. The biotechnology practitioner seeks ways to produce healthier, more abundant crops, or to eliminate the polluting by-products of farm or industrial activities. 145 The extension of these practices moves the community closer to its telos. Likewise, the health care virtue ethics concept of the virtuous practitioner applies to those engaged in the practice of biotechnology. The virtues identified by Oakley and Cocking in reference to medical doctors can apply to biotechnology researchers, although with a different focus. While the question whether a medical doctor is a beneficent, truthful and trustworthy practitioner is defined largely in relation to the patient, the biotechnology researcher is defined in relation to the scientific research community and the public. A truthful and trustworthy researcher, for example, will provide an accurate report of her results, and a beneficent researcher will place the goal of fostering beneficial scientific knowledge above other strategic or personal concerns. Similarly, Pellegrino and Thomasma's concepts of fidelity to trust and self effacement apply directly to biotechnology research. As they note, when a researcher accepts public funds and benefits from public facilities and research-conducive social arrangements, the researcher enters into a "covenant with society in which the primary goods cannot be power, personal profit, prestige, or pride." 146 Such financial and reputational rewards are "external" to the practice of research and ought not to dominate the internal goods such as increasing knowledge and developing useful technology. 147 Moreover, because the research community depends on access to the research of others, a virtuous researcher must be able to balance legitimate self-interest with an understanding that her results should be accessible to others. 148 Pellegrino and Thomasma particularly criticize the "industrial model" of research. As they note, "[g]aining the competitive edge, establishing priority and ownership of information, cornering the market, getting the patent, choosing research topics on their future investment possibilities-these are the values of industry. They encourage the wrong kind of self-interest and frustrate the primary aim of research." 149 A practice such as open access publishing, which embodies an open source ethos, is particularly valuable because it builds on the internal goods of the biotechnology community. 150 In addition, the virtue of justice can play an important role in a virtue ethics approach to biotechnology. Justice as a virtue is "the strict habit of rendering what is due to others." 151 Justice includes the principle of beneficence and the virtue of benevolence, as well as a commitment to social justice. 152 Pellegrino and Thomasma identify "skimming and dumping"-the practice of treating only the best paying patients and not treating the poor-as examples of poor policies that virtuous practitioners should strive to avoid. 153 Similar concerns apply to the biotechnology research community, particularly concerning the allocation of research support.

#### Human activities can be split into two categories: one activity where the end of it can be completed, like watering a plant, and one where the end, or internal goods, is fully present in the activity itself, like friendship. Internal goods must come first – otherwise after achieving an end there is no motivation to do further action.

**Opderbeck, 2** (David Opderbeck is Associate Professor of Law and the Director of the Gibbons Institute of Law, Science and Technology at the Seton Hall University School of Law., 11-2-2017, accessed on 8-11-2021, University of Maine School of Law Digital Commons, "A Virtue-Centered Approach to the Biotechnology Commons (Or, The Virtuous Penguin)", https://digitalcommons.mainelaw.maine.edu/mlr/vol59/iss2/5/)//st

**Virtue ethics are communitarian. The development of individual virtue occurs only within the context of a particular community. The community shapes and defines the "virtues" that are important to the community.** The goal of human flourishing is achieved only as a community embodies the virtues. In Aristotelian thought, the notion of "excellence" is important to the communitarian context in which the virtues are developed and practiced. An analogy can be drawn here to a useful object, such as a hammer. We can ask, ''what characteristics should this object embody in order to function as an excellent hammer?" We might then identify characteristics including the tool's size, weight, balance, and striking surface. Tied to this concept of community is the notion of life as a "narrative." 56 Narratives reflect the historical arc or telos of a community. MacIntyre places the virtues extolled by Aristotle within the narrative framework of the heroic Greek city- state.57 The virtues that were prominent in Aristotle and later Greek thought were those that were necessary to promote the flourishing of the ideal polis. A second axis of virtue ethics is that of practices. Virtue ethics does not abjure rules or practices, but the focus is on practices rather than deontological rules. The goal is to identify practices that will enable a community to embody its core virtues. rules or practices, but the focus is on practices rather than deontological rules. As MacIntyre defines it, a "practice" is: [A]ny coherent and complex form of socially established cooperative human activity through which goods internal to that form of activity are realized in the course of trying to achieve those standards of excellence which are appropriate to, and partially definitive of, that form of activity, with the result that human powers to achieve excellence, and human conceptions of the ends and goods involved, are systematically 59 extended. This definition means that practices entail goods internal to the activity. 60 Such In addition, practices include "standards of excellence" that, when achieved, give rise to the goods internal "internal" goods are rewards recognized by practitioners. 61 to the practice.62 Finally, practices are "systematically extended," meaning that the practices' standards of excellence, as well as the capabilities of practitioners, rise over time.

#### [2] Community – open-source practices foster the virtues of mutual sacrifice and cooperation by allowing people to participate and share.

**Opderbeck, 3** (David Opderbeck is Associate Professor of Law and the Director of the Gibbons Institute of Law, Science and Technology at the Seton Hall University School of Law, 11-2-2017, accessed on 8-11-2021, University of Maine School of Law Digital Commons, "A Virtue-Centered Approach to the Biotechnology Commons (Or, The Virtuous Penguin)", [https://digitalcommons.mainelaw.maine.edu/mlr/vol59/iss2/5/) \*brack](https://digitalcommons.mainelaw.maine.edu/mlr/vol59/iss2/5/)%20*brack)eted for grammar\*//st

A tension might arise, however, between Maclntyre's emphasis on acommunity's authoritative text or voice and the notion of open source production as an enterprise comprised of essentially self-actualizing individuals. In fact, Yochai 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 communities 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 The first cluster seems difficult to relate to the communitarian axis of virtue ethics. As an example of the "virtue" of autonomy, Benkler and Nissenbaum propose "independence from the wide-ranging commercial entities influencing our actions and choices as well as from the typical array of institutional entities, whether employers, banks, agents of government, or whoever." 87 In his important book The Wealth of Networks, Benkler stresses autonomy as a fundamental value promoted by open source production, but not from a virtue ethics framework. 88 In The Wealth of Networks, Benkler seems to approach the question of autonomy from a Kantian perspective. "Autonomy" seems better suited to the Kantian perspective Benkler takes in The Wealth of Networks than to the virtue ethics approach he takes with Nissenbaum. It may be true that commons-based production increases individual autonomy by providing alternatives to information flows produced by traditional commercial providers. But individual autonomy should not be conceived as a "virtue." Rather, some notion of autonomy may be a component of the eudemonia toward which the virtues direct human practices. And the virtues, as instantiated in practices and traditions, are never merely self-directed. Practices and traditions are by definition communal, not merely individual. A better approach to the question of autonomy within a virtue ethics framework of open source production would be to focus on the virtue of "respect" for the autonomy of others. If human flourishing requires that people have some capacity to make autonomous choices, then respecting the choices of others, and fostering communities in which such choices can be exercised, is an important virtue. 90 Viewed this way, it is possible to identify practices and traditions that embody this virtue. Benkler and Nissenbaum's focus on "creativity, [AND] productivity, [and] industry" 91 seems closer to the heart of virtue ethics. productivity, and industry can be considered part of a Maclntyrian "practice. " Peer production provides additional avenues for individuals to engage in creative and 93 productive work, and thus can facilitate valuable practices. In addition, Benkler and Nissenbaum note that peer production encourages the 94 "other-regarding" virtues of "benevolence, charity, generosity, [and] altruism." Participants in open source communities give time, resources, and talents to the project, ordinarily without direct financial remuneration. 95 As Benkler and Nissenbaum note, however, the literature concerning open source culture is ambiguous concerning whether participants offer their time, resources, and talents for altruistic 96 reasons or as part of an essentially self-interested medium of exchange. Finally, Benkler and Nissenbaum focus on the virtues of"sociability, camaraderie, 97 It is here that their link between virtue ethics and peer production is perhaps most salient. This cluster of virtues involves providing resources to a community engaged in a common project with a common goal. The concept is similar, Benkler and Nissenbaum note, to the American founders' 98 friendship, cooperation[, and] civic virtue." Whatever their psychological motives, the multifarious contributors to an open source project provide small inputs notion of politics as contribution to the public good. of time, resources, and talent, which cumulate to a much larger good.

# Underview

#### [1] P&P affirms nothing in the aff triggers it –

#### [a] You presume statements true unless proven false – If I tell you my name is Sophia you believe me unless you have evidence to the contrary

#### [b] Presuming statements are false is impossible – we can’t operate in the world if we can’t trust anything we hear or we couldn’t form a coherent strand of reasoning

#### [c] NC is reactive so they strategically develop or conceded args – o/w on reversibility since losing the AC to an NC hijack or uplayer puts the aff at a 6min disad

#### [d] They have a 13-7 rebuttal advantage and 2N collapse means they can brute force any layer and do more weighing

#### [2] 1AR theory – a) AFF gets it because otherwise the neg can engage in infinite abuse, making debate impossible, b) drop the debater – the 1AR is too short for theory and substance so ballot implications are key to check abuse, c) no RVIs – they can stick me with 6min of answers to a short arg and make the 2AR impossible, d) competing interps – 1AR interps aren’t bidirectional and the neg should have to defend their norm since they have more time. e) Fairness because debate’s a game that needs rules to evaluate it and education since it gives us portable skills for life like research and thinking.

#### [3] Use epistemic confidence –

#### [a] Probability undeterminable – there’s no way to weigh between probabilities on framework; if I win an analytic and you win a card there’s no way to resolve the round.

#### [b] Not how debate works – whoever is winning their framework wins that it is the correct moral theory.

#### [c] Circular – you need to be confident in epistemic modesty.

#### [d] Justifies anything – you can always combine blippy offense under a fw and say it’s infinitely bad and o/w

#### [4] All k links must explicitly quote lines from the 1ac – link of omissions are bad because there are millions of things that I can implicitly justify which means there are an infinite number of blippy ks you can run

#### [5] Debaters must check all interps in cx otherwise it’s dta – k2 deterring friv shells or shells that don’t violate which allows us to go back to substance

#### [6] Constitutiveness – moral questions are derived from the life-form of a particular entity, which justifies following our true form. This outweighs – just as I would say a knife is bad if it is blunt, humans would be bad if they do not follow their true form. Any deontic theories are simply a deviation from our form. Foot:

[Foot, Phillipa; “Natural Goodness”; Oxford University (2001)] SHS ZS

Anscombe writes, ‘[G]etting one another to do things without the application of physical force is a necessity for human life, and that far beyond what could be secured by…other means.’ Anscombe is pointing here to what she has elsewhere called **an ‘Aristotelian necessity’**: [is] that which **is necessary because** and in so far as **good hangs on it.** We invoke the same idea when we say that **it is necessary for plants to have water, for birds to build nests, for wolves to hunt in packs, and for lionesses to teach their cubs to kill**. These ‘**Aristotelian necessities’ depend on** what the **particular species of plants and animals** need, **[and] on their natural habitat**, and the ways of making out that there are in their repertoire. **These** things together **determine** **what** it is for members of **a particular species** to be as they **should be,** and to do that which they should do. And for all the enormous differences between [the] life [of] and humans and that of plants or animals, we can see **that human defects and excellences are similarly related to what human beings are and what they do.** We do not need to be able to dive like gannets, nor to see in the dark like owls; but our memory and concentration must be such as to allow us to learn language, and our sight such that we can recognize faces at a glance; while, like lionesses, human parents are defective if they do not teach their young the skills that they need to survive.