*I negate: Resolved- The United States ought to guarantee universal health care for its citizens.*

The value’s MORALITY.

Rationality requires acting on principles which serve our rational ordering of preferences. Gauthier 1:  
David Gauthier, “Why Contractarianism?” p. 92-106

Since **in representing our preferences we become aware of conflict among them[;]**, the step from representation to choice becomes complicated. **We must**, somehow, **bring our conflicting** desires and **preferences into some sort of coherence. And there is only one plausible candidate for a principle of coherence—a maximizing principle. We order our preferences, in relation to decision and action, so that we may choose in a way that maximizes our expectation of preference fulfillment. And in so doing, we show ourselves to be rational agents, engaged in** deliberation and **deliberative justification. There is simply nothing else for practical rationality to be.**

The only moral theory ensuring the maximization of each agent’s expected utility is one of mutual constraint. This implies a contractarian theory of morality to reconcile differences in preferences. If there is no reciprocity or mutual agreement between parties, no contract exists and neither has an obligation to the other. Gauthier 2:  
David Gauthier, “Why Contractarianism?” p. 92-106

**This rationale for agreed constraint** makes no reference to the content of anyone’s preferences. The argument **depends simply on the structure of interaction, on the way in which each person’s endeavor to fulfill her own preferences affects the fulfillment of everyone else.** Thus, **each person’s reason to accept a mutually constraining practice is independent of her particular desires**, aims and interests, **although not,** of course, **the fact that she has such concerns. The idea of a purely rational agent, moved to act by reason alone, is not**, I think, **an intelligible one.** **Morality is not to be understood as a constraint arising from reason alone on the fulfillment of nonrational preferences. Rather, a rational agent is one who acts to achieve the maximal fulfillment of her preferences, and morality is a constraint on the manner in which she acts**, arising from the effects of interaction with other agents.

Only contractarianism is consistent with individual agency and identity. Gauthier 3:  
David Gauthier, “Why Contractarianism?” p. 92-106

**In incorporating morality into deliberative justification, we recognize a new dimension to the agent’s self-conception.** **For morality requires that a person have the capacity to commit himself**, to enter into agreement with his fellows **secure** in the awareness **that he** can and **will carry out his part of the agreement** without regard to many of those considerations that normally and justifiably would enter into his future deliberations. And **[T]his is more than the capacity to bring one’s desires and interests together with one’s beliefs into a single coherent whole.** Although this latter unifying capacity must extend its attention to past and future, the unification it achieves may itself be restricted to that extended present within which a person judges and decides. But **in committing oneself to future action in accordance with one’s agreement, one must fix** at least a subset of **one’s desires and beliefs to hold in that future. The self that agrees and the self that complies must be one. “Man himself must first of all have become calculable**, regular, necessary, even in his own image of himself, **if he is to be able to stand security for his own future, which is what one who promises does!” In developing “the right to make promises,” we** human beings **have found a** contractarian **bulwark against the perishing of morality.**

Only mutual restraint provides a verifiable basis for moral claims. Gauthier 4:  
Gauthier, David P., Professor of Philosophy at University of Pittsburgh “Morals by Agreement”. Oxford: Clarendon, 1986. Print.

But the strengths of a contractarian theory may seem to be accompanied by grave weaknesses. We have already noted that for **a contractarian**, morality requires a context of mutual benefit. John Locke held that 'an Hobbist . . . will not easily admit a great many plain duties of morality'. And this may seem equally to apply to the Hobbist's modern-day successor. Our theory **does not assume any** fundamental **concern with impartiality, but only a concern derivative from the benefits of agreement, and those benefits are determined by the effect that each** person can have **[has] on the interests of her fellows. Only beings whose** physical and mental **capacities are** either **roughly equal** or mutually complementary can expect to **find cooperation beneficial** to all.Humans benefit from their interaction with horses, but they do not co-operate with horses and may not benefit them. **Among unequals, one party may benefit** most **by coercing the other, and** on our theory **would have no reason to refrain.** We may condemn all coercive relationships, but **only within the context of mutual benefit can our condemnation appeal to a rationally grounded morality.**

The standard is CONSISTENCY WITH CONTRACTARIAN RESTRAINT.

Individuals with increased burdens of taxation to fund redistribution-based health care do not benefit from reduced-quality, government-provided health care; higher-income individuals won’t use government health care since they have access to private care. There is no mutual utility to be gained and so no contract would be formed.

Contracts between the state and individuals are formed from an imbalance of power that delegitimizes the contract by forcing individuals to change their rational ordering of preferences. Rothbard:  
Rothbard, Murray. The Ethics of Liberty. New York and London: New York University Press, 1998. 163-165. Print.

First is the inner contradiction between voluntarism and coercion; a **coercion of all-against-all does not make** any of this **coercion “voluntary.”** Secondly, **even if we assume** for the moment **that each individual would like to contribute** to the dam, **there is no way of assuring that the tax levied on each person is no more than he would be willing to pay voluntarily** even if everyone else contributed. The government may levy $1000 on Jones even though he might have been willing to pay no more than $500. The point is that precisely **because taxation is compulsory, there is no way to assure** (as is done automatically on the free market) **that the amount any person contributes is what he would “really” be willing to pay.** In the free society, **a consumer who** voluntarily **buys a TV** set **for $200 demonstrates** by his freely chosen action **that the TV** set **is worth more** to him **than** the **$200** he surrenders; in short, he demonstrates that the $200 is a voluntary payment. Or, a club member in the free society, by paying annual dues of $200, demonstrates that he considers the benefits of club membership worth at least $200. But, in the case of taxation, **a man’s surrender to the threat of coercion demonstrates no voluntary preference** whatsoever **for any alleged benefits he receives.**

AT Rawls

Rationality must be exercised by a particular identity, not through the application of a priori principles to an abstracted actor since identity determines one’s obligations. Gauthier:  
Gauthier, David P., Professor of Philosophy at University of Pittsburgh “Morals by Agreement”. Oxford: Clarendon, 1986. Print.

Here we proceed in a manner quite different from Rawls. For in his argument **the** epistemic effect of **ignorance of one’s identity has** an **ontological significance** quite **incompatible with** conceiving **persons as actors.**  **Rawls[‘s]** is led to the Kantian **view [is] that apart from each person’s contingent self he has a real self,** the moral person **defined by a concern with justice and** the good, and that this real self is the proper subject of all moral choice. This real self, which alone escapes the nexus of social determination, is **revealed by removing** all knowledge of **the contingent features of individual identity. But we deny that there is such a ‘real self’. A person’s identity is** in all respects **a contingent matter. But this contingency is not morally arbitrary, for morality** is and **can be found only in the interaction of real persons individuated by their capacities, attitudes, and preferences.**

AT Collapse to Util

Each individual has his own unique set of desires and characteristics, and so would not recognize overall preference fulfillment as a justification for forfeiting his own self-interested pursuits. People would not voluntarily become tools for utilitarianism. Gauthier:

Each person, aware of his identity, must be able to identify with choice from the Archimedean point, as the choice he would have made under the conditions of ideal agency. For **a choice is rational only to those who identify with it, and impartial only if all are able to identify with it. But the choice required by** average **utilitarianism affords no basis for this identification.**  John Rawls has stated, ‘Utilitarianism does not take seriously the distinction between persons.’ We agree, but even more, utilitarianism does not take seriously the individuality of persons. Our objection is not so much that the utility of one person may be sacrificed to that of others, but that **each person is treated as a means to overall preference fulfillment. Utilitarianism violates the integrity of the individual as a being with his own distinctive capacities and preferences, and so a distinctive utility, not interchangeable with the utilities of others, that he seeks to maximize.**

AT Government has obligation to everyone else

The fulfillment of an obligation is justified only insofar as it does not violate negative obligations to third parties. Tan:  
[Kok-Chor Tan, Justice without Borders (Cambridge: Cambridge University Press, 2004), p. 59]

It does not appear so. While the criterion of “voluntariness” provides a necessary condition for certain kinds of obligations (it is certainly true that there are certain obligations one need not have without freely agreeing to them), it does not serve as a sufficient condition. Consider the example of promise-making: does a freely made promise always impose an obligation on the promisor? Not necessarily. A promise to perform an act that would violate any prior duty the promisor has cannot generate an obligation on the promisor to perform that act. For instance, **a promise to commit a** violent **crime** **cannot impose** on the promisor **an obligation to carry out the crime, for this would be in violation of the promisor’s** general **duty to third parties. An obligatory act has to be** a **permissible** actin the first place, and **so promises to execute impermissible actions cannot** by definition **generate an obligation**, free consent on the part of the agent notwithstanding. What this shows is that a necessary condition for free consent to generate a[n] special obligation is that the discharge of that obligation does not violate any outstanding duties an agent has. It is not enough, then, to simply say that citizens have voluntarily consented (assuming, again, the plausibility of voluntary consent as the basis of citizenship) to privilege and favor each other’s interests over the interests of foreigners, and therefore have assumed certain special obligations towards one another that may limit what outsiders can claim of them. **People may** freely **acquire** special **obligations towards their fellow citizens *only* if they do not** consequently **neglect their preexisting duties** of justice **to others.** In sum, for voluntary consent to ground an account of patriotic obligation that may restrict the demands of global justice, it has to provide the further argument that individuals have no prior duties of justice to strangers absent free consent. As presented, however, it is an argument for patriotic obligation that presupposes that the background conditions of justice are appropriately preserved. The above discussion applies to the notion of mutual benefit in general, whether or not we adopt the voluntary consent model of mutual benefit. **The fact that an association mutually benefits its members says nothing about the extent** or limits **of its members’** outstanding **duties** towards nonmembers. On the contrary, we would say that the sorts of mutual benefit associations people may form – and hence the sorts of corresponding special duties they may incur – are to be limited against their prior general duties to all individuals. The mutual benefit argument thus, at best, gives us an account of special obligations that is limited by the general duties of justice people have towards each other. Instead of limiting global justice, special obligations, on this argument, are to be constrained against the demands of global justice. If citizens of well-off countries can be said to be members of a mutually beneficial association, the legitimacy of their association is contingent on whether they relate to others *on just terms*.