All people are fundamentally morally equal. There is no natural distinction among persons that justifies one person or group having ethical priority over any other person or group. Equality is the basis for all ethics because any ethical rule must treat individuals with moral worth.

**All resources derive ultimately from the commons, and all agents have an innate, equal, original claim to a fair share of an undiminished commons. This right holds regardless of arbitrary characteristics of birth, such as location or recency. Roark:**

**“**The notion that **moral agents have an initially equal moral claim** in respect **to natural resources** is highly plausible because **an agent cannot appeal to anything that she has done or a**ny sort of **hereditary right** that she has **to establish a greater initial claim over natural resources** than any other agent can legitimately claim. All agents stand in the same initial moral relationship to natural resources. ***No* agent is morally, or**for that matter **causally, responsible for creating** or establishing in any way whatsoever **land,** fresh **water,** the oceans, **the atmosphere,** crude oil, wild berries **or any other natural resources**. Natural resources are simply established or given by Nature or God. **Appealing to an agent’s industriousness**, labor, or other aspects of her agency **cannot demonstrate** that she possesses **any greater initial claim to** natural **resources** than any other agent **because natural resources are not brought about as a result of labor** or any aspect of agency**.”**

Roark, Eric. Removing the Commons. Lexington Books, August 28, 2013. P. 3.

**And, ideas work the same way. Just as no one can lay claim to all natural resources, no one can lay claim to all ideas as a resource.**

**Recency of birth is arbitrary so the right to equitable access to the commons persists across generations. Weiss:**

**“**The second fundamental relationship is that between different generations of the human species. All generations are inherently linked to other generations, past and future, in using the common patrimony of earth. To define intergenerational equity, it is useful to view the human community  as a partnership among all generations. In describing a state as a partnership, Edmund Burke observed that ‘as the ends of such a partnership cannot be obtained in many generations, it becomes a partnership not only between those who are living but between those who are living, those who are dead, and those who are to be born.’ The purpose of human society must be to realize and protect the welfare and well-being of every generation. This requires sustaining the life-support systems of the planet, the ecological processes, and the environmental conditions necessary for a healthy and decent human environment. In this partnership, **no generation knows** beforehand **when it will be** the **living** generation, how many members it will have, **or** even **how many generations there will** ultimately **be**. It is useful, then, to  take the perspective of a generation that is placed somewhere along the spectrum of time, but does not know in advance where it will be located. Such a **[Each] generation would want to inherit the earth in at least as good condition as it had been in for any previous generation** and to have as good access to it as previous generations. **This requires each generation to pass the planet on in no worse condition than it received it in and to provide equitable access to its resources** and benefits**. Each generation is thus** both **a trustee for the planet** with obligations to care for it and a beneficiary with rights to use it**.”**

Weiss, Edith. “Our rights and obligations to future generations for the environment.” The American Journal of International Law, vol. 84, No. 1, January 1990, pp. 198-207.

**This means the Lockean Proviso is true. A taking from the commons violates the equity rights of others if it fails to leave “enough and as good” in terms of access. Locke explains:**

**“**Nor was this **[The] appropriation of a**ny **parcel of land, by improving it, [is not] a**ny **prejudice to any other** man, **where there was still enough, and as good left**; and more than the yet unprovided could use. So that, in effect, **there was never the less left for others because of [one’s]** his **enclosure for [oneself]** himself: **for** he **[they] that leave**s **as much as another can make use of, does as good as take nothing at all**. No body could think himself injured by the drinking of another man, though he took a good draught, who had a whole river of the same water left him to quench his thirst: and the case of land and water, where there is enough of both, is perfectly the same**.”**

Locke, John. Two Treatises Concerning the Original Extent and End of Civil Government. [Bracketing for gendered language.]

All economies are bound by these moral requirements regardless of their degree of advancement. When all common resources have been parceled out or developed, the right of each person born to equitable access to an undiminished commons is not reduced. The hoarding of resources by some constitutes an unjust taking in the face of scarcity experienced by others.

**The Standard is Lockean Libertarianism. van der Vossen explains:**

Plausible versions of libertarian theory must therefore attempt to strike some balance between the maximally restrictive and maximally permissive views. Consider ***Lockean libertarianism***, which **allows unilateral** use and **appropriation but insists on restrictions at** both **the stage of appropriation—in the form of the Lockean proviso** that “enough and as good” be left for others**—and subsequent possessions—because no one can exclude the needy from** one's **property. Lockean libertarianism views natural resources as initially unprotected by any property rule** (no consent is needed for use or appropriation) **but as protected by an ongoing compensation liability rule. Those who use natural resources**, or claim rights over them, **owe compensation to others for any wrongful costs imposed.**

van der Vossen, Bas, "Libertarianism", The Stanford Encyclopedia of Philosophy (Spring 2019 Edition), Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/spr2019/entries/libertarianism/>.

Prefer additionally –

Actor spec:

a. The aff framework defines ethics in context of both the state and the individual – other theories pigeonhole ideology to one or the other but don’t concern how they interact. i.e. Kantianism only defines obligations of individuals, and utilitarianism defines the state’s role as a policymaker, but the aff explains the federal role in individual life, and the individual obligation in relation to the commons.

b. Performativity: individuals have certain natural rights that must be met in order to access the space **Hoppe**:

**“Argumentation does not consist of free-floating propositions but is a form of action requiring the employment of scarce means;** and that the means which a person demonstrates as preferring by engaging in propositional exchanges are those of private property. For one thing, **[N]o one could** possibly **propose anything**, and no one could become convinced of any proposition by argumentative means, **if a person’s right to make exclusive use of [their] physical body were not** already **presupposed. [This]** It is this recognition of each other’s mutually exclusive control over one’s own body which explains the distinctive character of propositional exchanges that, while one may disagree about what has been said, it is still possible to agree at least on the fact that there is disagreement. It is also obvious that such a property right to one’s own body **must be** said to be **justified *a priori*, for** anyone who tried to justify **any norm** whatsoever would already have to **presuppose[s]** the exclusive right of control over his body as a valid norm **[it].**  simply in order o say, ‘I propose such and such.’ **Anyone disputing [this]** such a **right would [commit]** become caught up in **a practical contradiction** since arguing so would already imply acceptance of the very norm which he was disputing.**”**

Hoppe, Hans-Hermann. *The Economics and Ethics of Private Property,* p. 334.

THIS OUTWEIGHS EVERYTHING BECAUSE IF YOU DIDN’T HAVE THESE NATURAL RIGHTS YOU WOULDN’T BE ABLE TO DEBATE IN THE FIRST PLACE, SO case can weigh against theory and Ks.

c. Motivation—only a framework that guides state action with individual internal motivations can be good insofar as we can account for both state and individual action when it comes to access to the commons

AND under Lockean Proviso we care about the structure of discourse and action, not its consequences. Therefore, intentions outweigh consequences.

1) Action theory: Actions are defined by their intents, so you can’t evaluate the action before the intent. For example if I drink I must raise the glass to my lips and swallow, having infinite constituent parts. The only way to judge the topical action is by looking to intent.

2) Normativity: Only intent-based ethics are normative because if you’re held responsible for things you don’t intend, then there’s no reason to be moral because you can’t help your actions being immoral, because you’re held responsible for unintended effects. This controls the link to ethics because otherwise there’s no reason to follow morality.

3) Consequentialism kinda fails a) induction – the past is not a reliable predictor of the future and we can’t use induction to prove induction because that would be circular b) they cascade – each consequence has another consequence and is infinitely regressive. Any brightline they set would be arbitrary and self-serving and c) aggregation – can’t compare 5 headaches vs 1 migraine

Interpretation: the neg must not contest the aff framework, read arguments that contest the ethical validity of the aff standard, or read an alternative framework provided that the aff standard is consistency with Lockean Libertarianism. Strat skew – neg is reactive and can up-layer the aff on moral frameworks, procedurals, and discursive arguments – AFC levels the playing field by forcing the neg to commit to the aff on substance, which ensures the AC matters. Procedural fairness is a voter and outweighs: Sequencing- unfair norms exacerbate structural skews; small school teams and minorities would leave debate if it was procedurally unfair. CI and DTD on 1AC theory – otherwise the 1nc can sandbag which wrecks deterrence No RVI on 1ac theory that has a pre-emptive violation--they would have 7 minutes to answer a minute-long shell and the debate would end right there-- the entire 1ac cant be the shell because then they could just choose not to violate it

I AFFIRM WHOLE REZ, CX CHECKS TO PREVENT FRIV T DEBATES, and CP’s n PIC’s affirm cuz they don’t disprove my general thesis

Now affirm,

**Intellectual property protections exclude others from the information commons, Tavani:**

Let us assume that the information commons is infinitely expandable in terms of the kinds of intellectual objects that can be produced. Would this phenomenon in itself be sufficient to ensure that the information commons is not in danger of being eroded? We should note that **IPRs have been granted not only for the production of intellectual objects but also for the development of certain kinds of methods used to access those objects**. Additionally, **IPRs that are granted for these purposes can result in restricting one’s ability to access and use information**, in the same way that fencing off sections of the physical commons resulted in individuals being denied access to tangible objects such as acorns and apples.20

Many advocates for IPRs believe that the methods used to access digitized information are among the kinds of things that deserve legal protection.21 However, critics point out that granting this kind of protection has already resulted in ordinary individuals being denied access to information that had previously been available to them. In this sense, then, **the information commons** (like the physical commons in England during the 17th and 18th centuries) **is subject to erosion; and it can be eroded even if** countless **new intellectual objects are produced**. Because the current threat to the information commons is analogous in relevant respects to the threat posed to the physical commons in Locke’s time, looking to Locke’s property theory for possible guidance would not seem unreasonable.

Tavani, Herman T. "Locke, intellectual property rights, and the information commons." Ethics and Information Technology 7.2 (2005): 87-97.

This affirms under the Lockean proviso: the information commons being cut off for other people does not leave “enough and as good as” for others because of the way it is eroded.

**F - is for Friends who do stuff together**

**U - is for Underview**

**N - is for aNyone and aNywhere at all down here in the deep blue sea :music:**

1. *The ROTB is TT -*
   1. *Isomorphism: alternative RTBs aren’t binary win/loss, and thus cannot function in debate*
   2. *Constitutivism: the ballot and tab software presents decisions as aff/neg, not who best achieves some good value. Also, “affirm” is “To state that is true” [1] and negate is “to deny the existence or truth of”, which independently proves truth testing.*
   3. *Key to 1) Ground Parity:  The wording committee and topic selection process exist to identify topics with a range of defensible arguments on both sides, “role of the ballot” claims can frame the round in ways that make my ground either absurd or morally abhorrent 2) Predictability: The only face value of a resolution is it’s truth or falsity as a statement – not some inherent other framework*
   4. *Uniqueness - TT is the intrinsic value of LD, if you want comparative worlds go to policy*
2. *I get 1ar theory*
   1. *Neg would be infinitely abusive and I wouldn’t be able to check*
   2. *Size of link – every reason 1AR theory is bad is just a reason it’s hard to respond to and should be erred against, not rejected.*
   3. *I need to uplayer with 1ar theory because*
      1. *Neg has unique access to T*
      2. *13-7 time skew*
      3. *Neg can read multiple offs to uplayer*
3. *AFF RVI’s*
   1. *Aff flex- neg can collapse to any layer so aff needs the same for the 2AR – this outweighs.*
      1. *2N collapse – time skew becomes 6-1 since I cover multiple layers, making it impossible to win 2. 1AR is too short to read theory compared to the neg so the aff needs each layer to be reciprocal.*
4. *DTD on 1ar theory*
   1. *4 minute 1ar means I can’t properly get to substance and theory, leads to infinite abuse because if I can’t win on theory, I would need to engage on every other layer*
5. *No 2N RVIs – They can create a massive 6 minute counter interp, while I only have 3 minutes to respond, extend the aff, and preclude the neg, making the aff near impossible. No new 2N responses a) gives them a 6-3 time skew b) 1AR strategy is predicated on what I can go for but new 2N weighing non-uniques all of that.*
6. *The neg may not read nibs on inf neg abuse since you would just read 7 mins of auto-negate arguments that are impossible to LBL with 4 min. Inf abuse ow because if I couldn’t engage with your infinite abuse it would be impossible to affirm.*
7. *Presumption n Permissibility affirm, a) We presume statements true—if I told you my name you’d believe it until told otherwise. Conspiracy theories don’t respond: 1) The res isn’t a conspiracy and 2) People assume conspiracies true—the only reason we dismiss them as absurd is if we have prior knowledge that refutes them. For permissibility a) Probability: in a world where anything is permissible people don’t just do nothing they do whatever which means there’s a higher probability of the aff than the squo. b) freezes action. Anything else requires infinite justification if I have to prove a proactive obligation for every action I do, which makes action impossible because no one has time for it.*