Personal Safety Social Contract  
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Affirmative Case by Mark Csoros

**Summary**

*“Men being, as has been said, by nature all free, equal, and independent, no one can be put out of this estate and subjected to the political power of another without his own consent, which is done by agreeing with other men, to join and unite into a community for their comfortable, safe, and peaceable living”.[[1]](#footnote-1)  John Locke*

That paragraph is a condensed form of the Social Contract, an idea that has more or less been applied to every government on earth. Basically, the Social Contract states that citizens sacrifice some freedoms for more protection. It also works the other way, stating that society can remove protection from an individual who isn’t playing by the rules. That idea of an implicit agreement between people and their government is the crux of this case. The Value is Personal Safety, which is the goal of the Contract, and the Criterion (the way we achieve the value) is the Social Contract itself. Your job on Aff is to prove how the Contract makes sense and is necessary. You need to impress upon your audience that when everyone has every property right, all of our safety spirals downward. Therefore, we have to limit property rights by voting Aff.

To effectively defend that stance, you need to avoid an application war. Your applications are very limited in scope, without tremendous impact on their own. To win, you must couple your applications with the ideas behind them. For example, don’t expect your first application (taxation) to go head-to-head with a Negative application about Nazis burning down privately owned libraries. That would be like me going head-to-head with the heavyweight boxing champion of the world. It’s not going to go well. Instead, pair your taxation example with the idea behind it: that we have to give up some property for increased protection from very real, very significant threats. If Negative keeps trying to match application to application, call him/her on it. We don’t debate by bringing up as many applications as possible and then claiming victory, we debate by using applications as examples of how our ideas play out in the real world. Use your applications as examples, not as proof of your contentions, and make Negative debate the same way.

You also need to keep the debate on your ground. Negative will want to argue that giving up rights in exchange for protection leads to tyranny, oppression, human rights violations, and, in the end, less safety. He/she will likely paint a picture of an Orwellian dictatorship and ask you to defend that as your side of the resolution. Don’t let the Negative get away with it! You are arguing for a limited, common sense approach, and their attempt to misrepresent your argument is fallacious (both straw man and slippery slope fallacies). Don’t be baited into accepting Negative’s terms and debating on them. Keep the debate where you want it, and you will be much better off.

Personal Safety

*“From time to time, the tree of liberty must be watered by the blood of patriots and tyrants”.[[2]](#footnote-2)*

Here, Thomas Jefferson tells us something important about the way the world works. Good governments aren’t cheap. Freedom isn’t free. And often, we have to sacrifice something good for something better. It’s because we’re here to make the hard decisions that I stand ***Resolved: That the needs of the public ought to be valued above private property rights.***

# Definitions

Before we go far, let’s look at a few definitions:

**Public Needs** are operationally defined as the “Systems such as a military force, public transportation, law enforcement and courts that are in place for the protection or benefit of the populace.”

**Private Property** is defined by Black’s Law Dictionary as “The ownership of tangible and intangible goods by an [individual](http://thelawdictionary.org/individual/) who has exclusive rights over it.”[[3]](#footnote-3)

# Value

Now that we have some definitions, we need a way to determine which side of the resolution is better. To do that, I propose the **Value of** **Personal Safety.** All that this means is that our goal in today’s round should be to keep people from physical harm. As Ronald Reagan once said, “*government’s first duty is to protect the people*”[[4]](#footnote-4). Now, I realize that we aren’t the government, but in Lincoln-Douglas debate, our job is to decide which ideas are best, and ideas that damage individuals are ideas we try to discourage. This means that, as a society, we should strive to uphold that value of Personal Safety. So, how do we do that?

# Criterion

We achieve personal safety with our **Criterion:** which is the **Social Contract.** The social contract is a theory that governs how individuals relate to the government. It was originated by the 16th century political philosopher John Locke, and simply, it states that people give up some rights in exchange for acceptance into a community, which provides them with more personal safety. In Locke’s day, that usually meant giving up a few chickens for acceptance into the walled settlement, but today it’s a little different. Let’s look at how the social contract applies to us with our contentions.

# Contention 1: Public Needs Uphold Safety

In the 3rd Federalist Paper, John Jay told us why the social contract was used historically, and is used in America. He wrote:

“Among the many objects to which a wise and free people find it necessary to direct their attention, that of providing for their safety seems to be the first.”[[5]](#footnote-5)

Smart societies deal with safety first. There are, as Jay said, many objectives and values that compete with each other. But safety, which is a public need, comes first, and should be valued highest.

# Application 1: Taxation

Let’s look at an example in our **Application**, which is **Taxation**

When we earn a wage, that wage is our property. But, we forfeit some of that property to the Government, which uses that money to provide for our needs. In exchange for our tax money, we get a police force to protect us from crime, a military to defend against foreign threats, and a justice system to give us fair trials. We give up some of our property in order to receive the things we need from our government.

In our second contention, we’ll see how valuing private property over the needs of the public endangers everyone.

# Contention 2: Private Property Rights Decrease Safety

Remember our definition of private property: something an individual has exclusive rights over. So, according to our definition from Black’s Law Dictionary, I have the right to take my private property wherever I want to. I have the right to carry my flowpad, my timer, or my shoes anywhere I please. But sometimes, I have those property rights violated, because there’s a legitimate public need for safety that keeps me from exercising those rights. Let’s look at an example in

# Application 2: Airline Restrictions

I can’t take my pocketknife on board a commercial airliner. I also can’t take a hammer, a firecracker, or any container of liquid that carries more than 3 ounces. If I try to get on board with one of those items, it will be confiscated, and I’ll possibly end up in jail.

But wait, doesn’t that system violate my exclusive rights over my private property? Yes, it does, but it’s a very justified violation. I don’t think anyone in this room thinks it’s wise to allow explosives or weapons on an airline flight. The public need for safety is outweighing the right to private property.

But what does this mean in the context of the round? We’ll look at that in our third contention.

# Contention 3: Public Needs Over Private Property Rights

At the beginning, we talked about how we sometimes have to sacrifice something good to gain something better. Private property rights aren’t inherently evil; most of the time they’re actually quite useful. But they can also be incredibly dangerous. Without our taxes to support military and police forces, our lives would be far more dangerous. If we allowed explosives on airliners, our personal safety would be greatly diminished. We are all social contract supporters, because we all sacrifice some property rights for our public needs.

And this is how it should be. When we measure the two sides of the resolution by our value of Personal Safety, it’s clear that we have to side with the needs of the public. Let’s make sure we achieve safety with an affirmative ballot. Thank you.

Negative Brief Personal Safety

On Negative, you can start by attacking the idea of Public Needs. Try this in C/X:

“Who makes the decisions about when PN trumps rights?” (The government/society)

“Is the government/society infallible?” (No)

“Are there several opinions about when PN should trump rights?” (Yes)

“Are some of those opinions wrong?” (Yes)

Now you have a perfect point for an argument about tyranny, or human rights abuses, or any of the other topics Aff wants to avoid. Argue that subjectivity clouds our judgment, and that if our knee-jerk reaction to every situation is to support public needs over property rights, we will all find ourselves penniless. Or in a gulag. Or in *Animal Farm.* Or in any dystopian world with a tyrannical, overbearing government. Argue that sometimes, public needs are more important than rights, but that human rights should be valued higher the majority of the time.

Secondly, you can attack the Value of Personal Safety. Demonstrate what happens when we take that idea to an extreme. For example, home alarm systems (like ADT) serve the end of personal safety. Their goal is to protect against robberies, home invasions, to help arrest criminals, and to keep the streets safe. Those are good goals, but there is a limit to how far we can go in our pursuit of those goals. It would be a bad idea to link our home security systems to a biological weapon of mass destruction. From a governmental perspective, too much emphasis on safety leads to a population that is kept permanently in straightjackets inside padded rooms. If you can move the debate from the normal, everyday world into a world of stark differences, you can move the judge’s pen from Affirmative to Negative.

Above all, don’t let Affirmative control the storyline of the round. Refute the value and the necessary contentions, and then move to your side of the resolution as quickly as possible. Don’t avoid debating the issues, but control the narrative by keeping the debate around your case and your value. That’s a good general strategy, but it’s especially useful to combat this affirmative.

1. Locke, John. "Second Treatise on Government." (n.d.): n. pag. *Early Modern Texts*. Jonathan Bennet, 25 Jan. 2005. Web. 16 June 2016. <http://www.earlymoderntexts.com/assets/pdfs/locke1689a.pdf>. [↑](#footnote-ref-1)
2. Jefferson, Thomas. “Extract from Thomas Jefferson to William Stephens Smith, 13 Nov. 1787 [Quote].” *The Thomas Jefferson Foundation*. 13 Nov. 1787. Web. 8 July 2016.http://tjrs.monticello.org/letter/100 [↑](#footnote-ref-2)
3. Law Dictionary: [What is PRIVATE PROPERTY? definition of PRIVATE PROPERTY (Black's Law Dictionary)](http://thelawdictionary.org/private-property/#ixzz4CLK3jARE) <http://thelawdictionary.org/private-property/> [↑](#footnote-ref-3)
4. Reagan, Ronald. “Remarks at the national conference of the building and construction trades department, AFL-CIO.” *The American Presidency Project*. 30 Mar. 1981. Web. 8 July 2016. [↑](#footnote-ref-4)
5. John Jay, “Concerning Dangers From Foreign Force and Influence (cont’d),” *Federalist* No. 3, at [*http://www.foundingfathers.info/federalistpapers/fed03.htm*](http://www.foundingfathers.info/federalistpapers/fed03.htm) [↑](#footnote-ref-5)