Human Rights  
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Negative Case by Mark Csoros

**Summary**

“…conceived in liberty, and dedicated to the proposition that all men are created equal.”

This case is a fairly simple, clear, and value centric. It’s very easy to run and pretty easy to understand, but don’t let that fool you: it can take out stock affirmatives like a Chris Kyle headshot. Most affirmatives want to give judges a pragmatic view of the resolution. They want to run arguments like “There’s no such thing as a free lunch” or “the public has needs and we have to get them somehow.” The point of this case is to flip that rhetoric on its head. Do that by combining three powerful points of argumentation:

1: Hit the Value clash hard. There aren’t very many values ranked above human rights. The affirmative will probably push back, but stand your ground. Human Rights are valuable in and of themselves (inherently valuable), while public needs are valuable only for what comes from them (pragmatically valuable). Stress that point.

2: Maintain your grip on private property. In Contention 1, we find that private property rights are necessary for all other human rights. Don’t let that fact slip away or get lost in the blizzard of argumentation. Without private property, your judge can’t maintain his life, liberty, free speech, or right to self-defense. That’s a powerful incentive for him to vote for you.

3: Remember what happens when we deny human rights. Application 2 uses the example of the Japanese Internment crisis and the abuses perpetuated there. You can also use Maoist China, Stalinist/Leninist/Marxist Russia, Pol Pot’s Cambodia, or Hitler’s Germany as examples of the tyranny that occurs when private property is devalued. Regardless, drive home that devaluing any human right, and especially property rights, is a really bad idea.

Finally, don’t forget to look at the big picture. This case is strongest when it’s kept cohesive. Private property rights are necessary for human rights, and human rights are important because people are valuable just by being human. That sentence is your case. Pressure the affirmative to disprove those facts. Challenge him/her to show you a right that can be separated from private property. Defy the affirmative to tell you how humans really don’t have inherent worth. Keep the pressure on, and contend mightily for your rights as a human being.

Human Rights

“Fourscore and seven years ago, our fathers brought forth on this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.”[[1]](#footnote-1)

Here in the 21st century, the first half of Abraham Lincoln’s famous sentence is obsolete. America is much older than 87 years of age. But the last part, the really important part, is still very much alive and relevant. Those ideas of liberty and equality are part of an even bigger, more unshakeable belief: that as humans, we are all entitled to certain rights.

Those basic, irrevocable, inalienable human rights are why I stand in opposition to the resolution, and why you should too. Today, we’ll discuss why **private property rights should be valued above the needs of the public.**

# Value

Let’s start off with my Value, or the objective standard that we should use to weigh the two sides of this round. That Value is of **Human Rights.**

The United Nations states that:

“Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination.” [[2]](#footnote-2)

So, human rights are rights that people have just by being people, and therefore should be protected without discrimination. But why are they a better value than [insert opponents’ value]? I have one key reason, and that is that Human rights are necessary to uphold man’s inherent worth.

## Reason to Prefer: Man’s Inherent Worth

Think about a world where human rights don’t exist. Think about the inhumanity of that world. When we don’t value basic human rights, we find that we can’t value humans either. If we are going to claim that humans are valuable, worth protecting, or even worth anything at all, we have to afford those humans some basic rights. Let’s do that by making sure we prioritize human rights in this round. With the Value in place, let’s look at how we can uphold it through some Contentions.

# Contention 1: Human Rights require Private Property

Private property isn’t just a good idea. It’s actually necessary for us to have any rights at all. If we never owned anything, we couldn’t have any rights! To illustrate, let’s look at an example in:

## Application 1: Freedom of the Press

The political theorist and Ph.D. of Economics Murray Rothbard wrote in 1959 about how property rights are foundational to every other right. He asks:

“For ex­ample, how can the human right of freedom of the press be pre­served if the government owns all the newsprint and has the power to decide who may use it and how much? The human right of a free press depends on the human right of private property in newsprint and in the other es­sentials for newspaper production. In short, there is no conflict of rights here because property rights are themselves human rights.”*[[3]](#footnote-3)*

Property rights *are* human rights. When we don’t respect property rights, we can’t respect other rights. Free speech is impossible without ownership of paper and ink. The right to self-defense is impossible without ownership of weapons. We can’t protect the right to life without ownership of food, water, and shelter. In order to even have human rights, we have to have private property rights.

# Contention 2: Public Needs damage HR

This is a bit of a no-brainer, because the meat of this contention is written right into the resolution. In order to fulfill a population’s needs, property has to be taken from someone. To value public needs, we have to devalue private property rights. To find an example of what that looks like, we could look to Nazi Germany or Soviet Russia, but let’s look a little closer to home in

## Application 2: Japanese Internment Camps

During World War Two, hysteria was running high over Japanese Americans living inside the United States. Both the public and the government were afraid of this group’s potential ties to Japan, and the spying that could be committed. So, the government sent most of the Japanese American population to “internment camps”. These camps were essentially prison, surrounded by barbed wire, machine guns, and armed guards. Worse yet, the internees were allowed to bring only what they could carry. Families lost entire businesses, farms, and houses. Valuable equipment was left to rust, or be stolen by anyone who passed by. Crops were seized by the government and used for the war effort. It’s difficult to estimate exactly how much property was taken, but after the war, when the government attempted to repay the losses, Japanese Americans claimed $148 million in damages.[[4]](#footnote-4) The government ended up repaying just $37 million.

Public needs are alluring. It’s very easy to want to do what’s best for the people. And that’s a good thing to want. But the internment camps showed us that we can’t violate human rights in that process. Even the government, once the gun smoke settled, realized that they had committed an atrocity and tried to fix it. But by then, it was too late, and rights had already been trampled. So, what can we do to avoid another internment camp crisis? Let’s look at that in:

# Contention 3: Private Property Rights over Public Needs

In order to prevent atrocities like the Holocaust or Japanese Internment crisis, we have to start with our mindset. We have to start by placing human rights as our highest value. In this resolution, that means we must prioritize and treasure our private property rights. Sometimes, public needs do need to come first. But the majority of the time, they don’t. We must be always vigilant that our inalienable, intrinsic, and irrevocable human rights are valued highest. History paints a grim picture of what happens when we side with the affirmative and devalue our human rights.

Let’s side with the negative, to ensure that our rights are protected. Thank you.

Affirmative Brief: Human Rights

The best way to attack this negative case is with cool, calm, clear logic. Do that using one or both of these methods:

1: Keep it normal. Okay, so the negative just gave a speech on how human rights are SUPER IMPORTANT. He sounds like the reincarnation of Patrick Henry mixed with your favorite motivational speaker. I get it. But stay real world. Human rights are great, but what happens when Mrs. Wilson won’t sell her house, blocking the development of the hospital for heart transplant patients? Ask your opponent if he would rather allow that blockage, or use eminent domain. Wait, eminent domain? Doesn’t that forcibly take property from owners, thereby infringing upon private property rights? Yes, and it’s a really good idea, because that hospital can save lives. Don’t let negative get carried away in a fervor of historical analysis and libertarian rhetoric. Keep the debate about the situations and needs of the 21st century.

2: Stress the need for your side. In CX, run a line of questions such as:

Are human rights important? (yes)

Do we need life to have human rights? (yes)

Can we effectively protect life without a strong police force and justice system? (no)

Are those institutions supported with tax dollars? (yes)

Was that money private property before it was turned into tax revenue (yes)

Great. Now we have a basis for our side. We have to violate some property rights in order to uphold life, which is necessary for human rights. That means that in order to achieve the negative value, they need your side of the resolution.

Above all, stay calm. Be the realist in the room. Sure, human rights are great, and human rights abuses are horrible. But you advocate for a much more measured approach. So, communicate your reasonability, stay the course, and be chill.

1. Lincoln, Abraham. “Gettysburg address.” *Yale Law School Lillian Goldman Law Library*. 2008. Web. 3 July 2016. [↑](#footnote-ref-1)
2. United Nations. “What are human rights.” *United Nations Human Rights Office of the High Commissioner*. 1996. Web. 3 July 2016. [↑](#footnote-ref-2)
3. Rothbard, Murray N. “Human rights are property rights.” *Foundation for Economic Education*. https://fee.org/articles/human-rights-are-property-rights/ 1 Apr. 1959. Web. 3 July 2016. [↑](#footnote-ref-3)
4. National Archives and Records Administration. “Japanese Americans during WWII: Internment and Relocation.” *Personal Justice Denied*. 1982. Web. 3 July 2016. [↑](#footnote-ref-4)