People Over Property   
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Affirmative Case by Joseph Abell



**Summary:**

This case capitalizes on a new direction for affirmative: Property isn’t just inconvenient to further economic progress (as with eminent domain); it can actually be a danger to other people!

Fight hard for your resolutional analysis (RA). Ideally, you want to push hyper-aggressive negative applications out of the way with your RA. In other words, the “government took away property unjustifiably” applications might’ve been done for a public interest, but not a public need. Thus, voting aff won’t create these kinds of problems.

Your opponent might try to de-link your applications by arguing that you’re talking about public safety, not public needs. That’s called making a distinction without a difference. Societies need safety to survive. And property can obstruct that.

Remember: Your RA makes the scope of public needs smaller, only to include prevention of physical harm. If you lose it, it’s going to be broader. But your applications and the rest of your case will emerge unscathed. Even if public needs also include things like building roads and encouraging interstate commerce, safety will be a public need all the same. Your applications will still link, and you should have the strongest impacts.

Putting People Over Property

We modern humans like to think that we live in a safe, civilized world. We no longer charge into battle while swinging massive axes at each other’s heads. Burning witches at the stake has long gone out of style. And “surviving dysentery” is never on anyone’s to-do list.

An ephemeral life chock-full of suffering and doubt has been replaced by a long one full of stability and Starbucks.

Our race for progress, however, was never made without some sacrifices. We have limitations on the life we can live, the choices we can make, and the stuff we can own. All of these exist to ensure that we can meet our basic need of survival. And without them, a healthy life would be nearly impossible.

Our resolution asks us if public needs matter more than private property rights. And on the principle that our rights need restrictions to be feasible, I ask you to affirm the resolution.

Let’s kick things off with some…

# Definitions

“Property” is defined by dictionary.com as “that which a person owns.”[[1]](#footnote-1)

Oxford defines “needs” as “expressing necessity.”[[2]](#footnote-2)

But ambiguous definitions don’t really get us anywhere, so let’s make things clearer with my

# Resolutional Analysis: Needs vs. Interests

We distinguish between things that are vital and non-vital all the time. It’s the reason we classify movie tickets as a want, and basic nutrition as something absolutely necessary. The same kind of distinction is useful in understanding what public needs are.

Public needs are related to physical survival. In other words, needs-based policies will minimize violence and harm to other people. We have an army, because we need it to be safe. We outlaw assault, because we need it to prevent harm. You get the idea.

Public Interests are related to physical thriving. For example, we offer free K-12 education because our government feels like it would empower our youth with knowledge. Granted, you don’t need it to survive; skipping 1st grade won’t kill you. But we want our kids to be successful adults, so we make education accessible for everyone.

By definition, public interests vary from community to community. Just like people have different interests, societies will as well! On the other hand, public needs are very predictable. Survival is such a basic concept that analyzing what people need to get there will remain consistent and predictable.

Let’s talk values.

To measure the resolution, I’m going to use the

# Value: Human Well-being

defined operationally as “the health and prosperity of society.” The reason I want you to use this value lies in my

## Value Link: Robust Measure

I know this value sounds broad, and that’s intentional. Because public needs and private property are such broad concepts, we need a robust value to measure them. That’s what the value of human well-being describes: whatever choices our government makes, they always should be increasing the well-being of their citizens.

In the contentions, we’ll prove the resolution true by measuring which side is better at reaching the value: property or public needs.

# C-1 Prioritizing Property Harms Well-being

Normally, our possessions don’t conflict with public needs. Because property rights are so commonly benign, we rarely have to choose between the two.

But in some cases, the stuff people own can present imminent danger to society. Nowhere is this truer than in my…

## Application: Hard Drugs

There’s no doubt that drugs like cocaine, LSD, and heroin are detriments to society. While things like weapons can be used for good or for evil, hard narcotics serve almost no positive use for society. They destroy families, lead to violence, and in many cases, take people’s lives.

And while my opponent might be quick to point out this is just a problem with freedom, we have to start with limitations on property.

It’s impossible to grant people the right to own and possess hard drugs while preventing their misuse. In other words, certain narcotics are so innately dangerous that even permitting ownership will result in disastrous consequences.

There’s a reason no country has seriously considered legalizing crystal meth. Nations have a basic public need for safety: and when property rights are allowed to usurp that, we start creating problems that we can’t ever solve.

# C-2 Prioritizing Public Needs Improves Well-being

It’s obvious that pursuing the most basic needs of society won’t be a simple task. For example, that means allowing police officers to utilize warrants, intrude on privacy, and keep wrong-doing at bay. This same principle applies to property rights.

If a society needs to ward off threats, be that by fighting crime or stopping evil, putting these public needs above property rights is the only right decision.

## Application: The Yearning for Zion Ranch

The most common expression of property rights exists in a sign that reads “no trespassing.” But in some cases, protecting people is more important than respecting signs.

In central Texas lies the Yearning for Zion Ranch, home of the Fundamentalist Mormon Temple. Distinct from Modern Mormonism, the Fundamentalist Mormon Church is involved in some less-than-reputable behavior. In fact, the congregation at Zion Ranch had for years been engaging in and encouraging criminal acts like polygamy and harming children.[[3]](#footnote-3)

While the church had been fairly open about what it believed, shutting down the congregation was difficult. Because they had legal ownership of the property their church was on, gathering evidence of illicit behavior was problematic. The church rarely stepped outside of their small community, having almost no contact with the outside world. And as long as they could hide on their property, bringing law-breakers to justice was an impossible task.

So our government made a decision.

In April of 2008, law enforcement raided the church’s property. They found evidence of the suspected crimes, and arrested those responsible for wrong-doing.[[4]](#footnote-4) Today, the State of Texas has taken legal ownership of the property, and Schleiher County is a much safer place to live.

It wouldn’t have been hard for the Texas government to ignore basic public needs like health and safety. But since we know what human nature is capable of, we are wise enough to restrict it when it endangers the public.

People will always matter more than property.

People Over Property: Negative Brief

The value in this case is a buffer: it’s intentionally broad so as to shut down the value discussion and keep debate elsewhere. The advocacy relies heavily on both the Resolutional Analysis and the applications, so let’s examine three ways to take them out.

First, recognize why the RA is so strategically unique. Right now, affs are primarily arguing that subtracting property is convenient and useful for the rest of society. Negs are pointing to where that goes too far. To avoid this predictable conflict, this case reframes needs as things pertinent to physical survival.

You can challenge this premise if you want to, but it’s not at all necessary. Instead, put the pressure on what survival entails. The RA places education as a public interest, not a need. But how could our country stay afloat without basic education? Notice the links: Without education most people couldn’t get decent jobs, unemployment and poverty shoots up, our economy gets destroyed, etc. Does that sound like survival to you?

Take the RA and agree: needs relate to survival. But methods of survival still vary from country to country. For example, maintaining a healthy rice crop in America seems pretty frivolous. But in a country like India, where the rice crop feeds over a billion people every year, losing it would mean widespread starvation. Because countries are different, needs are different.

Second, is pursuing legitimate public needs ever a bad move? You don’t need to make public needs look ugly to win, just point out that subtracting property is a terrible way to satisfy them. For example, it’s hard to argue healthcare is anything less than a physical need. At the same time, when we try to meet it by siphoning off property rights, things don’t always go smoothly.

Third, notice how the applications put enormous faith in government scrutiny. Sure, there might be a handful of examples where the authorities justly seized the property of criminals, but have governments ever done the same for law abiding citizens? If you’re interested in this direction, a quick google search for “civil asset forfeiture” will get you moving in the right direction. If you do the research, you’ll find plenty of room to outweigh the applications and push the persuasive gradient in your favor.

1. “The Definition of Property.” Dictionary.com. N.p., n.d. Web. 21 July 2016. <http://www.dictionary.com/browse/property?s=t> [↑](#footnote-ref-1)
2. “Definition of Need in English:.” Need: Definition of Need in Oxford Dictionary (American English) (US). N.p., n.d. Web. 21 July 2016. <http://www.oxforddictionaries.com/us/definition/american_english/need> [↑](#footnote-ref-2)
3. King, Deborah. “Yearning for Truth: Oprah’s Visit to the FLDS Compound.” The Huffington Post. TheHuffingtonPost.com, n.d. Web. 21 July 2016. <http://www.huffingtonpost.com/deborah-king/yearning-for-truth-oprahs_b_181484.html> [↑](#footnote-ref-3)
4. “FLDS at Ranch Detail Raid by Texas Officials.” DeseretNews.com. N.p., 15 Apr. 2008. Web. 21 July 2016. <http://www.deseretnews.com/article/695270749/FLDS-at-ranch-detail-raid-by-Texas-officials.html> [↑](#footnote-ref-4)