Libertarianism   
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Negative Case by Travis Herche



Tired of affirmatives responding to your contention 1 application with: “Well, that turned out badly, so it’s not a public need”? This case uses a unique way to shut that down.

It argues that public needs are an unethical goal because they uplift members of government over other people in a country. Thus, the possible benefits of public needs aren’t important. Almost all other negative cases reject the resolution pragmatically. This one doesn’t, making the affirmative’s job a little more interesting.

You win or lose on your value. Spend as little time as possible on anything else. Prepare to run this case by researching arguments for and against libertarianism. Be prepared for the many dangerous arguments that can be made to say that libertarianism isn’t a good system. As long as you’re prepared and stay disciplined in your refutation, you should be able to push your opponent off balance and then beat them.

Libertarianism

Many governments build housing in low-income areas. The people running the housing projects eagerly accept applause and call themselves heroes for helping to house the homeless. But they aren’t heroes; they’re bandits – as reflected by a basic problem in the resolution.

# Value: Libertarianism

Libertarianism is operationally defined as: “The principle that government’s only appropriate duties are the defense of citizens from direct harm and the enforcement of contracts.” This describes a limited government with military, police, courts, and political bodies – but very little else. Most of the bloated projects and agencies that you would expect from a modern bureaucratic government are absent in a libertarian one.

Here are three reasons to prefer Libertarianism over my opponent’s value:

## Reason to Prefer 1: Only Ethical Government

One of the most fundamental principles in ethics is that all humans are equal; people aren’t born intrinsically better than others. This is why we condemn things like tyranny, which uplifts some over others, or slavery, which subjugates some under others.

Since people are equal, we should carefully limit any power structure that gives one person the ability to impact another. In a perfect world, we would have no government at all. But, in our imperfect world, we have criminals. Without governments, criminals would be able to run free, effectively becoming their own mini-tyrannies.

The best way to spread the power out and thus preserve equality is to have a libertarian government that stops people from hurting each other. Doing anything beyond that says: “We know how you should live your life better than you do,” which is unethical because it uplifts one person over another.

### Example: Socialist Tenements

Low-income housing isn’t just made with good intentions. It’s made with money taken from taxpayers. Whether or not the taxpayers paid willingly, they paid with the threat of force hovering over them: pay, or go to prison. They had no choice in the matter. Their money, which was earned with their own hard work, was taken away and used for something else that didn’t benefit them, and then some pompous politician took credit for it.

This is unethical. Charity projects should be left to private and religious groups, not governments. That’s the only way to create a society where all are equal.

## Reason to Prefer 2: Coherent Philosophy

As long as you’re compelled to obey the government, the government should be able to confidently say that it is upholding its duties. But that is impossible in any non-Libertarian government.

Most governing philosophies acknowledge dozens or even hundreds of different goals, like protecting the environment and reducing poverty and ending drug abuse. Invariably, these goals wind up conflicting, which is a big problem when we’re coercing people into following along.

### Example: Land Value

Many city governments wrongly assume responsibility for raising land value. To do that, they have to balance a network of conflicting interests.

They could re-zone a block to get rid of unsightly low-income housing, which will raise land value but increase homelessness.

They could raise taxes to fund an anti-litter initiative, which will raise land value but reduce the spending power of citizens.

They could launch a big public works project, which will raise land value but take up space that could have been used for commerce.

Libertarianism doesn’t face this dilemma. It protects the life, liberty, property, privacy, and contracts of its citizens from direct harm. Those things do not conflict. That means government can justify itself and doesn’t have to struggle in the gridlock and power games you see in big government.

## Reason to Prefer 3: Most Functional

We ought to do the coherent, ethical thing no matter what. But as it turns out, moral governance has some big tangible rewards too.

Libertarianism gets out of the way of citizens and unleashes a market economy, which uses competition to reward people for meeting each other’s needs. Instead of a single government-run car company, dozens of private companies compete to give you the best possible car at the lowest possible price. Left to its own devices, market economies grow steadily and improve the quality of life for all citizens. They work far better than clumsy government initiatives that don’t respond to market forces.

### Application: Freedom and Development Indexes

There are two government indexes I want to compare for you.

The UN Human Development Index ranks every country in the world based on things like lifespan, education, and per capita GDP.

The Heritage Foundation Index of Economic Freedom ranks countries based on how well they adhere to Libertarianism, with high scores given to countries with limited governments and open markets and minimal regulations.

If Libertarianism is good for citizens, we can expect to see these two indexes line up closely. That would tell us that freedom leads to high overall human development. As it turns out, that’s exactly the case. Of the top 20 countries in the Human Development Index, all receive ranks of Mostly Free or Free.[[1]](#footnote-1) [[2]](#footnote-2) [[3]](#footnote-3) Libertarianism works.

# Contention 1: Public Needs Violate Libertarianism

Public Needs, no matter how noble they may seem, cross an ethical line and give some people authority to arbitrarily decide how others should live. It says: “Sure, you worked hard to earn that money, but you don’t get to decide how it will be spent. It won’t go toward taking care of yourself, it won’t go toward treating yourself, it won’t even go to a charity you chose. Instead, it will go to a pet project that we picked out. Why? Because we have more power than you.”

This doesn’t mean that things like hospitals and housing aren’t important – just that government shouldn’t be messing with it. That brings me to my final point.

# Contention 2: Property Rights Uphold Libertarianism

Arbitrarily depriving citizens of their property for some reason other than protecting them from direct harm *is* direct harm. Property rights keep that from happening. They force governments to respect the equal humanity of all citizens and stay within their limits.

The public needs cars, but that doesn’t mean we should violate private property to provide them. The same goes for food, or retirement, or any other good thing we want in society. The free market does it better, but it can only work when the government fills its vital role of upholding property rights rather than trampling them. Thank you.

Affirmative Notes

There’s only one good plan to kill this case: defeat the value.

You should already have at least one value link supporting your own value, which might be turned into a reason to prefer in the 1AR. Here are a few additional reasons to prefer you might consider:

1. **Dysfunctional Government.** Libertarianism doesn’t allow many government functions that most people would support. Here are a few to get you started:
   1. Public infrastructure like roads, water, sewage, and electricity.
   2. Laws protecting worker wages and safety.
   3. Environmental protections.
   4. Building codes – especially for big buildings like hotels, or critical/dangerous buildings like airports and nuclear power plants.
   5. Food safety laws.
   6. Zoning laws.
   7. Almost all driving laws.
   8. Tax breaks and exemptions.
2. **Direct harm is semantically meaningless.** Where do you switch from direct to indirect harm? How far does the government go to stop direct harm? Trying to answer those questions quickly exposes how arbitrary the line is.

For example, does a libertarian government have a TSA? That tries to stop someone from directly harming others by using intrusive preemptive searches. If that counts as libertarian, the term means little.

The practice of tilling one’s field kicks up dust, which has been linked to thousands of deaths every year from lung cancer. Does a libertarian government ban tillage? There’s no simple way to answer that.

1. **Equally incoherent.** Libertarianism isn’t as elegant as it first appears. Taxing people – violating their property rights – to uphold their property rights isn’t any more coherent than a non-libertarian model. The government still has to make tough choices and balance competing interests.

Many of these arguments can be set up in cross-examination by asking questions to pin your opponent to a position. Example: “You oppose public roads, right? And the post office? National parks? The Department of Energy?”

Always ask for a definition of direct harm and write down the answer. Get it right word-for-word so your opponent can’t wiggle away from your attacks on it later.

1. Skipping Leichtenstein, which is not ranked on the Index of Economic Freedom. [↑](#footnote-ref-1)
2. Heritage Foundation, “Index of Economic Freedom,” 2016. <http://www.heritage.org/index/ranking> [↑](#footnote-ref-2)
3. United Nations Development Programme, “Human Development Report,” 2015. <http://hdr.undp.org/sites/default/files/hdr_2015_statistical_annex.pdf> [↑](#footnote-ref-3)