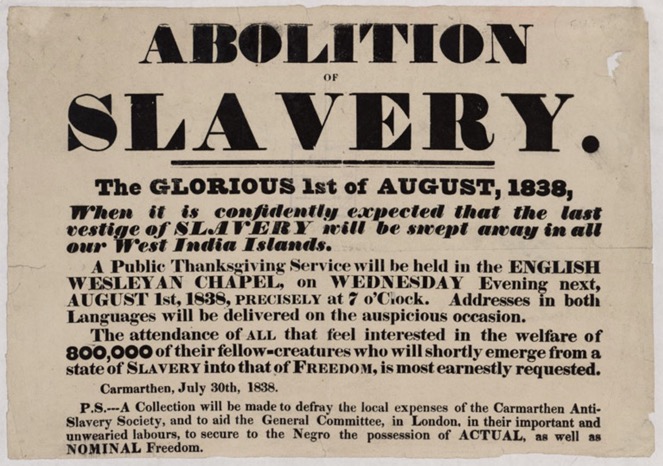
Oppressive Property Rights  
Affirmative Case by Chase Gittisarn



For most of this Stoa season, NEG has had AFF on the defense, pushing the case that Public Needs can be abused and how property rights are the “reasonable ground” that we must take. No more. This case intends to flip the tables. The AFF will reveal to the judge the dangers of property rights, and how they can be used and abused to oppress the public.

This is an extremely aggressive case in the “wrong” direction. What I mean by this is that most Stoa parents will easily buy the idea that public needs can be abused by oppressive governments. What’s not so easy for them to swallow is the idea that Property Rights can just as easily be abused. Your opponent will probably try to exploit this. In order to counter that, remember the framing of this case: that the abuse we see is not representative of all property rights, only the property rights that forget the public needs. And this is why public needs are essential, in order to put a leash on this “abusive” concept of property rights.

Remember, your main goal in this case is not to apologize for times that public needs can be abused. Rather, your goal is to make your opponent apologize for the abuse and oppression that property rights can often cause when not being “parented” by the public needs. As long as you can convince your judge of the clear link between property rights and the abuse that we see in this world, you should be very well off.

Also, your opponent might try to blame these abuses on the Public Needs. When they do, you have to stand your ground and point out the obvious. “These oppressors have property rights and the oppressed don’t have public needs,” or something as simple as that.

Your opponents may be caught off guard when they encounter it. They may give you general and vague responses like, “well, that’s not property rights” or “property rights don’t cause that.” Prey on this opportunity, because once you point out that they haven’t proven their point with clear analysis or warrants, they won’t know what to say next.

Oppressive Property Rights

Adam Smith once said, “As soon as the land of a country has become private, the landlords, like all other men, love to reap where they never sowed.” We must not forget the role of the Public Needs, and while not every form of property rights will turn into this abuse that Smith describes, the property rights that forget the public needs will find abusive and oppressive owners.

It is because of this, that I believe we should value people over property, and I stand resolved: *The needs of the public ought to be valued above private property rights.*

# Definitions

**Needs of the Public:** This is operationally defined as: Something that a community must have in order to physically survive.

**Private Property Rights:** Land or belongings owned by a person or group and kept for their exclusive use.[[1]](#footnote-1)

# Value: Human Welfare

Human Welfare is defined as the idea that the protection of both the lives and quality of life of human beings ought to be paramount. The welfare of a country’s people should be the biggest concern of any nation.

## 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 welfare provides. Whatever values our government has, they always should be increasing the welfare of their citizens.

# Contention 1: Property rights can harm Human Welfare.

Don’t get me wrong, property rights can benefit society. But when we put the right to property over the public needs, we have bad property rights. That’s when property rights can be abused.

## Application: Slavery

Slavery was a dark time where we treated people as subhuman. According to Encyclopedia Britannica, these slaves were considered by law to be private property. Human beings were bought, used, and sold like everyday household items. Through property rights, they were limited in their freedom, and had a depravation of basic Human Rights.[[2]](#footnote-2) Instead of thinking of what these slaves needed, what the public needed, many people around the world instead chose to value their right to property, property that came in the form of other human beings. Today we realize that people are not property, but are people with human rights. Instead of valuing property over people like we used to, we now value people over property.

## Application: North Korea

North Korea is one of the world’s most repressive countries.[[3]](#footnote-3) It’s a place where Kim Jong-Un and his autocratic regime press the population. But why is there so much suffering? The Heritage Foundation states that in North Korea nearly all land is owned by the state.[[4]](#footnote-4) The state has the right to private property used for the torture and oppression of many North Koreans. They have the ability to abuse their property rights. Instead of thinking about people and what they need, Kim Jong-un and his regime have instead chosen to value property over people. In doing so, they have violated Human Rights on a massive scale.

# Contention 2: Public Needs protect Human Welfare.

When we understand that the public needs are essential for society, then we can make progress toward giving Human Welfare to all.

## Application: India’s Independence

1947 was a year to be remembered in Indian history. It was the day that they gained independence from their British occupiers. Before the British relinquished their rights of India, they heavily oppressed the Indian people, the worst of which came through several British induced famines which killed over 29 million people.[[5]](#footnote-5) The British-owned India, their “Crown Jewel” as they called it, was abused of their rights, ignoring the Public Need in India. Through many protests by Gandhi and others, the Empire finally relinquished their control of the subcontinent.[[6]](#footnote-6) Because they realized that the Indian Public needed to be free, the British gave them their independence, thus valuing people over property.

# Conclusion

Property rights as a concept sounds ideal. Unfortunately, property rights that forget the public needs often take a turn to the south and allow people to use and abuse them toward evil ends. We cannot let this happen. Instead, we must value the public needs and value people over property.

Negative Brief: Oppressive Property Rights

While this may seem a little daunting to refute at first, you have a secret weapon that will cost the AFF a lot to get around: *prejudice*. Because Stoa is a mostly conservative league, judges will inherently feel that while public needs can be abused, property rights can’t, or at least not in any significant way. It may also make the judges feel uncomfortable, so take advantage of that.

You want to try to frame the AFF as someone who has a sore misunderstanding of the nature of property rights. For the most part, Stoa judges will at least want to buy into this. All you have to do is give them permission to do so, and once they do, you should have the upper hand.

In the end, the crux of this case will have to do with the essential nature of public needs and property rights, and NEGs will have an inherent advantage in this debate.

1. Dictionary.com <http://www.dictionary.com/browse/private-property> [↑](#footnote-ref-1)
2. Encyclopedia Britannica <https://www.britannica.com/topic/slavery-sociology> [↑](#footnote-ref-2)
3. Human Rights Watch <https://www.hrw.org/asia/north-korea> [↑](#footnote-ref-3)
4. Heritage Foundation <http://www.heritage.org/index/country/northkorea> [↑](#footnote-ref-4)
5. Independent Jun. 18, 2016 <http://www.independent.co.uk/voices/commentators/johann-hari/johann-hari-the-truth-our-empire-killed-millions-404631.html> [↑](#footnote-ref-5)
6. History <http://www.history.com/this-day-in-history/india-and-pakistan-win-independence> [↑](#footnote-ref-6)