Governments Should Promote Freedom  
Negative Case by Mark Csoros



James Madison, the man known as the Father of the U.S. Constitution, wrote about the importance of property in a 1792 paper that was appropriately entitled “Property.”

The simple way to run this case is very straightforward. You set the table with your resolutional analysis, pointing out that the conflict is in the mindset and laws of governments, and the resolution asks us to decide what governments should do. Then, you clear the table by emphasizing the importance of your value, coupled with the simple logic that tariffs unfairly hurt some citizens while protecting others. Capitalize on the fact that your judge is personally affected by rising prices on a lot of goods that are commonly trade restricted. Steel, aluminum, textiles, farm equipment, all those products make a real difference in the lives of real people.

To add support, spend some time gathering evidence from philosophers who love to talk about property (John Locke, Thomas Hobbes, Aristotle). Then look for some advocacy about the damaging effects of tariffs, either through pieces and studies from think tanks like the Heritage Foundation, the Cato Institute, or the American Enterprise Institute, or from academic studies run by Ph.D. economists. Evidence will be key, so don’t be afraid to do some Team Policy-style statistical analysis or data comparison.

At this point, I’m sure you’re mentally asking, “what about unfair trade practices?” “What do we do about dumping?” “What if a country is subsidizing its exporters?” Those are all great questions, and that’s where this case gets interesting. First, off, you can take the hardline stance that there is no such thing as unfair trade and go from there. You can be very successful arguing that dumping (selling a product at a ridiculously low price) is actually beneficial. An economic writer for Forbes named Tim Worstall has a plethora of witty and impactful quotes about how subsidies and dumping practices should be embraced, not prevented. Secondly, you can use the rhetoric of the last paragraph and the substance of the second resolutional analysis point to quell this argument. All you have to do is say “governments should.” Well, not really, you need to say more. But, you can simply argue that governments shouldn’t tax their citizens just to hand that money to companies that export. That’s not free trade, that’s government incentivized, controlled, centrally planned trade. If a government is sanctioning and aiding “unfair” trade practices, it’s doing the same thing in principle that your affirmative case is fighting against. So, don’t let affirmative force you to defend export subsidies or Chinese mercantilism, because your principles are the exact opposite.

Overall, keep your head up and stick to straightforward logic. Don’t get sidetracked with affirmative’s applications about collapsed industries and the death of American manufacturing. There is solid economic evidence about the rarity of those examples, and plenty of counterexamples for you to use. Go fight for property rights and economic freedom.

Governments Should Promote Freedom

When our Founding Fathers declared independence, they pledged their commitment to equal protection, under the law, of every citizen’s life, liberty, and pursuit of happiness. In the Bill of Rights, they codified that commitment be describing rights to equal and impartial treatment, personal safety, and private property. Because I believe that property, and the freedom to use that property is essential to the American way, I stand **Resolved:** **When in conflict, governments should value fair trade above free trade.** Let’s start by defining two key terms.

# Definitions

## Fair Trade

Fair trade is operationally defined as “equitable international trade practices, enforced by measures or the threat of measures such as tariffs or quotas.”

## Free Trade

The Encyclopedia Britannica defines free trade as:

***“…*** a policy by which a government does not discriminate against imports or interfere with exports by applying tariffs (to imports) or subsidies (to exports). A free-trade policy does not necessarily imply, however, that a country abandons all control and taxation of imports and exports.”*[[1]](#footnote-1)*

With our definitions in place, we need to understand how some of this resolution’s terms will affect how we debate, and we’ll do that in our…

# Resolutional Analysis

There are two aspects of this resolution that we need to examine on a deeper level. The first is “When in conflict” and the second is “should.”

## When in Conflict

Since governments are the actors in this resolution, and since governments are tasked with policymaking, fair and free trade come into conflict every day. Every single day, a government can allow for freer trade, or apply more restrictions.

## Should

“Should” simply means that our debate needs to revolve around what governments ought to do, not what they actually do. In this round, we’re asked to step into policymakers’ shoes and ask ourselves “how would we approach trade policy?” It’s also important to remember that we aren’t representing any one particular government, but we’re deciding what governments as a whole ought to do.

# Value: Property

James Madison, the man known as the Father of the U.S. Constitution, wrote about the importance of property in a 1792 paper that was appropriately entitled “Property.” Madison wrote:

“Government is instituted to protect property of every sort; as well that which lies in the various rights of individuals, as that which the term particularly expresses. This being the end of government, that alone is a just government, which impartially secures to every man, whatever is his own.”*[[2]](#footnote-2)*

In other words, the goal of government is to protect what people own. When you pour your time and effort into something, you ought to be able to own and enjoy the use of that thing. Unfortunately, restricting free trade harms property rights, which we’ll see in…

# Contention 1: Trade Restrictions Hurt Freedom

When governments apply tariffs, or quotas, they’re attempting to artificially influence what people do with their money. When imported pencils are 500% more expensive because of government tariffs, some people will be forced to buy domestic pencils when they would have preferred imports. When that freedom to buy what you want is restricted, property rights are violated. We’ll see how in greater detail in…

# Contention 2: Restrictions Violate Property Rights

Later in his article on property, James Madison wrote:

“What must be the spirit of legislation where a manufacturer of linen cloth is forbidden to bury his own child in a linen shroud, in order to favour his neighbour who manufactures woolen cloth; where the manufacturer and wearer of woolen cloth are again forbidden the economical use of buttons of that material, in favor of the manufacturer of buttons of other materials! A just security to property is not afforded by that government, under which unequal taxes oppress one species of property and reward another species.”*[[3]](#footnote-3)*

Madison correctly points out that government interference in the marketplace signals a disrespect for property. Today, “unequal taxes” take the form of tariffs, which restrict free trade and harm property rights. We’ll take a closer look at the situation in

## Application 1: Steel Tariffs

Mark Perry of the American Enterprise Institute wrote in 2016 that

“…protectionist trade policies like a 266% tariff provide significant, concentrated benefits for a small number of well-organized, rent-seeking domestic firms like Big Steel…. but at the expense of much higher costs and possible job losses that are imposed on hundreds of millions of disorganized and dispersed consumers and the domestic firms that use steel as an input.”[[4]](#footnote-4)

When the government puts tariffs on steel, it’s imposing a tax designed to help a certain class of citizen, specifically those who work in the American steel industry. But that benefit comes at a cost to the property of every other American, who now has to pay more for any product that used steel as an input. Every paycheck is now worth less, because the cost of cars, construction, and cutlery has now increased.

# Contention 3: Governments should promote freedom

When we evenly allow for freedom of trade, we don’t have to worry about playing favorites between classes of citizens. We can equally respect property rights when we enjoy the benefits of open trade. Government shouldn’t prop up industry with subsidies taken from tax dollars, or protect industry by taxing imports. The government’s job is to equally protect property for all citizens, regardless of class or career. For that reason, join me in supporting property rights by supporting free trade.

Opposing This Case

When you oppose this case, as always, you have a few options. First, can decide to let the value be, or attempt to challenge it. If you decide on the latter route, I would try to pick something that can match the human-rights flavor of the Neg value of property. Equality, justice, fairness, and opportunity are all potentially good options. If you accept the value, the best opposition will come from arguments about undercutting prices, from dumping, subsidization, a lack of labor standards and environmental regulations, or some combination of those things. When that happens, a single nation can lower the global value of a commodity, and cause hundreds of manufacturing jobs to shift or be eliminated. That messes with the value of property all around the world, and takes the livelihood out from under hundreds of workers.

Regardless of how you choose to fight the value, you can’t let negative get away with defining the themselves as every government simultaneously. The strength of negative, in this resolution, is that they can play the ‘perfect world’ card. In a perfect world where governments always did as they ought, there would be no illegal subsidization or state-sponsored dumping. But, we don’t live in a perfect world. Your strength lies in calling the judge back to reality, telling the affirmative they have to face the fact that countries may try to undercut prices, and then providing a way to make trade fair.

The resolution isn’t really clear whether or not we can talk about what all governments should do, or if the actor is a specific country in a moment of conflict between free and fair trade. As I mentioned above, negative can brush aside seemingly legitimate arguments with a mere “well, China shouldn’t do things that restrict or manipulate trade, therefore governments should support free trade and I win.” There is a good case to be made that the wording of the resolution allows for such an interpretation, and you must provide a compelling counterargument. The two most likely are that 1) it isn’t fair for negative to have a one-size fits all argument that wins every round, so that interpretation of the actor defies the very purpose of competitive debate, and 2) In the real world, you can’t solve problems merely by assuming control of the entire world. Between those two responses, you should be able to upend some of negative’s key responses.

Since you’re affirmative, you set the tone and the finish the round. Make sure that your message stays consistent, and that you don’t get sidetracked so much that the negative’s narrative becomes predominant. If you can hold on to your story all the way through the round, you have a much better chance against any debater.

1. The Editors of Encyclopaedia Britannica. “Free Trade.” *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., 17 Jan. 2014, www.britannica.com/topic/free-trade. [↑](#footnote-ref-1)
2. Madison, James. “Property.” *Separation of Powers: James Madison, Federalist, No. 51, 347--53*, University of Chicago, press-pubs.uchicago.edu/founders/documents/v1ch16s23.html. [↑](#footnote-ref-2)
3. Madison, James. “Property.” *Separation of Powers: James Madison, Federalist, No. 51, 347--53*, University of Chicago, press-pubs.uchicago.edu/founders/documents/v1ch16s23.html. [↑](#footnote-ref-3)
4. *Perry, Mark J. “Imposing 266% tariffs on Chinese steel imports will punish US manufacturers and consumers, not China”; the American Enterprise Institute March 2016 https://www.aei.org/publication/imposing-266-tariffs-on-chinese-steel-imports-will-punish-us-manufacturers-and-consumers-not-china/* [↑](#footnote-ref-4)