Information  
Affirmative Case



Here’s a philosophically-heavy case rewritten from 2005’s NCFCA resolution, “the media’s right to protect confidential sources is more important than the public’s right to know.” It was originally written by Chloe Anderson of Colorado, modified by Chris Jeub.

Power of Information

In one of his Fireside Chats, Franklin Delano Roosevelt proclaimed to the world that, “The only bulwark of continuing liberty is…a people strong enough and well enough informed to maintain its sovereign control over [their] government.”

President Roosevelt understood that the only people fit for the task of perpetuating liberty and limited government are an informed people. That is why I stand resolved: Criminal procedure should value truth-seeking over individual privacy.

# Value: Democracy

**My value** in this round will be Democracy, defined by the compact Oxford English dictionary as: a form of government in which the people have a voice in the exercise of power, typically through elected representatives.[[1]](#footnote-1) Principles of self-government and the people’s voice in politics have been at the heart of every republic from the ancient Greeks to our American Founders. They believed that the best way to fight tyranny was to prevent it. How? By making the truth sovereign, and thus placing the government in the hands of those it was designed to serve.

A critical factor in every democratic society is that of *information*, which is my **value criterion**. Our founders held this to be one of the most important duties and privileges of a free people. As Thomas Jefferson said, “Educate and inform the whole mass of the people... They are the only sure reliance for the preservation of our liberty.” And again, “I know of no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them but to inform their discretion.”[[2]](#footnote-2)

# Contention I: Democracy itself cannot survive without truth-seeking in criminal procedure.

“We the people” is a phrase that is forever enshrined in the American psyche. We are a country of the people, by the people and for the people. This has a twofold meaning. It is our right to govern ourselves, but with every right comes a corresponding duty. The corresponding duty to this sacred right is a duty to keep ourselves educated and informed on what is happening in our communities, our nation and our world. If we wish to have a meaningful say in what stand our government takes on abortion, international relations or agriculture policy we must be educated.

In his Areopagitica, Milton says*,* “Read any books whatever come to thy hands…For books are as meats and viands are.”[[3]](#footnote-3) In other words, books, and other modes of media are the food of the mind, and only a healthy, well exercised mind can be expected to fulfill the task of self-government.

# Contention II: Criminal procedures must function based first on information.

In our modern world we no longer rely only on books and word of mouth to gather information. The professionals involved in criminal procedures have a myriad of mediums to choose from. Most significantly in regards to this resolution are personal profiles on the internet. It is through these avenues that the men and women in criminal investigations communicate to assemble the evidence needed to properly prosecute criminals. They rely on information.

But on whom do they rely for their information? Sources and accomplices to crime. These are witnesses — whether knowingly or unknowingly — have some hand in the crime being investigated. Information must be extracted to get to the truth, and today’s world requires that sometimes individual privacy must be violated. If the source of the information becomes untrustworthy, prosecutors will thus drop the investigation into the privacy of a witness. It will not be fit enough to do as Roosevelt said and maintain “sovereign control over [our] government.”

# Conclusion:

Injustice and ignorance put together constitute a blow against one of the foundational pillars of democracy — an informed prosecution. We must fight against these by affirming the resolution and protecting this important profession. “The only bulwark of continuing liberty is…a people strong enough and well enough informed to maintain its sovereign control over [their] government.” Thank you.

1. <https://en.oxforddictionaries.com/definition/democracy> [↑](#footnote-ref-1)
2. <http://tjrs.monticello.org/archive/search/quotes?gclid=EAIaIQobChMIjbnqmKbA4QIVRBh9Ch1EwAbvEAAYASAAEgIdsfD_BwE> [↑](#footnote-ref-2)
3. <https://www.dartmouth.edu/~milton/reading_room/areopagitica/text.html> [↑](#footnote-ref-3)