Popular Sovereignty  
Negative Case



The value in this negative case chooses to uphold is “popular sovereignty,” defined loosely as “government created by and subject to the will of the people.” The argument goes that since a democracy is technically a popular sovereignty, civil disobedience morally disrupts this sovereignty. The act drowns out the discourse that is supposed to shape our public policy. The simple act of obeying speed limits is referenced as an application, as well as the more complicated chaos of the Ferguson looting and riots.

Popular Sovereignty

In a tyrannical country like North Korea, you either like the laws you live under or you don’t. Either way, you can’t change them. In a democratic country like the United States, we can debate and vote and elect and cause change. Civil disobedience throws a monkey wrench into that process, which is why I stand against it.

Let me begin with a…

# Resolutional Analysis: Morality not Guaranteed

If you vote for this resolution, you will support the misguided conscientious protestors mentioned by the affirmative. But you’ll also support people throwing out all kinds of good laws because they violate personal moral codes. Unfortunately, we don’t get to pick and choose who gets to be civilly disobedient. You either affirm this resolution as a general rule that anyone can embrace, or you opt for the more prudent route of saying that civil disobedience is generally not justified.

So let’s talk about moral justification:

# Value: Popular Sovereignty

Popular sovereignty is operationally defined as: “Government created by and subject to the will of the people.”

Here’s why popular sovereignty is the best way to measure this resolution:

## Reason to Prefer: Best System

While the majority isn’t always right, it is more likely to be right than any alternative. Democratic nations are the best way to ensure the government rules in the best interests of the people, rather than the rulers or a powerful few. This is why Winston Churchill said: “It has been said that democracy is the worst form of government except for all those other forms that have been tried from time to time …”[[1]](#footnote-1)

# Contention: Civil Disobedience erodes Popular Sovereignty

Taking the law into your own hands is an attack on popular sovereignty, as shown in three sub-points. The second and third sub-points will have applications, so leave plenty of space on your flowsheet.

## A) No Ideal Law Code

Put a thousand people in a room and ask how many think our current laws are completely perfect. No hands will go up. Some people want more gun control, others less. Some people like sales tax, others don’t.

It is impossible to create a law code that satisfies everyone. So instead, we create one that represents the majority will of the people.

Again, democracies thrive because political power rests in the people, not on a single person. But civil disobedience throws that all way and establishes a single ruler again, as shown in sub-point B.

## B) Individual Sovereignty

Civil disobedience tosses out ideas like democracy, free elections, political discourse, and the rule of law. It effectively declares a one-person anarchy. It says: “The rules don’t apply to me, but if I can change them, then the rules will apply to everyone else.”

## Application: Speed Limit

Speed limits represent the will of the people. If you choose to exceed the limit, you’re declaring a personal exemption from the law of the land. You’re effectively declaring yourself to be a one-person sovereign nation until you stop driving. Now imagine driving on the highway at the speed limit and knowing that someone around you didn’t care about the rules of the road. That would be terrifying because you know the stakes. Following the law is a matter of life and death.

Rather than the grown-up version of throwing a tantrum, citizens should take advantage of the fact that they live in a democracy. That brings me to the third sub-point.

## C) Drowns Out Rational Discourse

Sadly, the spotlight tends to shine brightest on the loudest and most obnoxious people. Sometimes there are bad laws that need changing. Good citizens use peaceful, legal methods to protest and change the laws. But often, a small minority of rambunctious hotheads gets caught up in the same cause and ruins the tone of the conversation.

## Application: Ferguson

When most people think of the 2014 unrest in Ferguson, Missouri, they think of burning buildings, looters sprinting down the road clutching TVs, and military police tossing flash bangs.

The civil disobedience that warranted calling in the National Guard wasn’t just tragic because of the mindless destruction it caused. It was also tragic because it stole attention from the real protest—thousands of law-abiding citizens peacefully organized to chant and sing songs calling for peace and equality. Beyond the tear gas, there were good citizens linking hands to protect businesses from looters. The crowd included a state senator, musicians, and even the Missouri Highway Patrol Captain.

The conversation should have been about police use of force and treatment of African Americans. Instead, it was about burning gas stations.

Again, there are sometimes bad laws that deserve protest. But that does not justify breaking the law and stealing the microphone from calmer voices. The consequences of affirming civil disobedience are looting, rioting, and chaos. Even terrorism—one of the most morally reprehensible acts we know—is just an extreme form of civil disobedience.

In the name of having a country with laws, I hope you’ll reject this resolution.

1. Richard M. Langworth. “Democracy is the worst form of Government…” 26 June 2009. <https://richardlangworth.com/worst-form-of-government> [↑](#footnote-ref-1)