The Ends Don’t Justify the Means  
Negative Case by Zachary Beddingfield



Destruction Resulting from Syrian War

The struggle of this year’s resolution is to define ethical obligation of government to your side. Almost always, the Affirmative does this by defining that the government’s purpose for creation was to protect the citizens’ rights, backing that assertion with the social contract theory which states that since the citizens give up rights to the government, they are the government’s foremost responsibility. This case seeks to challenge that claim directly by arguing that government obligation *isn’t* primarily to *protecting* the citizens’ rights, but to not *harming* any human rights.

This case makes the claim that governments have an ethical responsibility that comes before the protection of citizens’ rights by citing UN human rights treaties. UN human rights treaties outline that the governments primary responsibility must always be to never interfere with the enjoyment of human rights, only trying to promote the human rights of citizens (and others) after it makes sure to never violate them. In other words, the end of promoting human rights can’t come at the cost of violating them. The significance of these human rights treaties is that, while there are nine core treaties, every government in the UN has signed at least one of them and every major government is a member of the UN. All of this information points to the idea that the social contract theory and any other beliefs that the government is obliged to the citizens first is really based on unfounded opinion and not representative of the real world. To the contrary, all major governments have directly declared that to never interfere with or deprive human rights is their first duty.

There is no incorporation of applications because there simply is no need from them. Once you’ve established that government’s first obligation is to never harm human rights, the argument transforms into a definitional one where you must simply maintain that preventive war, by being an assault on people and military outside of a declaration of war, deprives individuals of their right to life. This is where you should seek to have the Affirmative agree that preventive war generally leads to the loss of life in cross examination. You may even get them to agree that this accounts to a violation of human rights to some degree.

As the Affirmative, you have a couple options for how to counter this. In the opposition brief, you will find a series of quotations that support your side. The first quotation, under obligation, will allow you to build an argument that even if governments believe they aren’t obligated to the protection of citizens’ rights first, they can’t disavow their innate responsibility under the logic (as opposed to proven truth) of the social contract theory. The citations under “Obligation to Human Rights” provide quotes by the two most recent presidents stating that the United States is ‘America First’ in it’s policy making, assisting you in undermining the human rights treaties of the UN as not representative of what governments truly believe they are obligated to do.

The Ends Don’t Justify the Means

# “The end does not justify the means. No one’s rights can be secured by the violation of the rights of others.” – Writer and Philosopher Ayn Rand [[1]](#footnote-1). It is because I agree with Ayn Rand, that we cannot justify wrongdoing by any means, that we cannot justify the violation of human rights even for a good cause, that I stand resolved – Preventive War is Not Ethical.

# Definitions

## Preventive War (If Needed)

The United States Department of Defense defines preventive war as:

**“A war initiated in the belief that military conflict, while not imminent, is inevitable, and that to delay would involve greater risk.” [[2]](#footnote-2)**

## Ethics

## The Markkula Center for Applied Ethics at Santa Clara University defines ethics as:

## “Ethics is based on well-founded standards of right and wrong that prescribe what humans ought to do, usually in terms of rights, obligations, benefits to society, fairness, or specific virtues.” [[3]](#footnote-3)

## Narrowing that down, ethics has to do with what we “ought to do.” As noted in the definition, obligation is a way of expressing ethics, and when we say we are obligated to do something we are really saying we ethically must do it.

# Resolution Analysis: Government Obligation is Global

We’ve established that to say something is an obligation is to say it is an ethical requirement. However, this doesn’t say anything about what people are actually obligated to do. Today we’re dealing with what government’s ought to do, so what is government obligation? The UN provides a means for nations to declare what they feel their obligation is through something called human rights treaties. Through this process, a nation comes forward and signs a document stating what they are obligated to do, both for their own citizens and for the global community. The UN describes these human rights treaties:

**Today, all United Nations member States have ratified at least one of the nine core international human rights treaties, and 80 percent have ratified four or more, giving concrete expression to the universality of** the UDHR and **international human rights.**

International human rights law lays down obligations which States are bound to respect. **By becoming parties to international treaties, States assume obligations and duties under international law to respect, to protect and to fulfil human rights. The obligation to respect means that States must refrain from interfering with or curtailing the enjoyment of human rights.** The obligation to protect requires States to protect individuals and groups against human rights abuses. The obligation to fulfil means that States must take positive action to facilitate the enjoyment of basic human rights. **[[4]](#footnote-4)**

There are 193 nations in the UN **[[5]](#footnote-5)**, including all first-world nations, so this means that nearly every nation in the world has declared an obligation to “refrain from interfering with the enjoyment of human rights.” To reiterate, every first-world nation in the world, and the vast majority of all nations in the world, believe that their first obligation is to refrain from harming human rights. We’ll see why, and why this is important, throughout my case.

# Value: Obligation

This point is pretty simple. Ethics is defined as the fulfillment of obligation, so if government fulfills its obligation it will be acting ethically. What is the governments obligation and how do we determine if we’ve met it? For this we need a criterion, or way of achieving the value of obligation:

# Criterion: Not Allowing the Ends to Justify the Means

Dictionary.com defines the philosophy that the ends justify the means as the belief that:

**“A good outcome excuses any wrongs committed to attain it.” [[6]](#footnote-6)**

Basically, when we say that the ends justify the means, we are saying we can do something unethical for the sake of an ethical outcome we hope to attain. This is preventive war, and exactly what I’m advocating against. Judge, my claim is that any government that acts as if the ends justifies the means will have failed their self-declared obligation and have acted unethically.

## Reason to Prefer: Comes First

Judge, my opponent will likely respond to my value and criterion with the argument that, while governments may be obligated to not let the ends to justify the means, governments also have other obligation, such as the protection of their citizens’ rights. This is true, governments do have other obligation and the obligation to protect human rights if you can do so ethically is even presented in the UN Human Rights Treaties.

However, our value today serves as a way to prove or disprove the resolution. Because the first obligation of government is to not allow the ends justify the means, as I’ll show throughout my first contention, if I can show that preventive war assumes that the ends justify the means I will have proven that preventive war is unethical and the resolution is false. If I can show that preventive war fails my value, it will not matter what other obligations government may have, because preventive war will have violated government’s foremost responsibility.

# Contention 1: The Ends Don’t Justify the Means

By saying the ends justify the means, one is saying a good outcome excuses any wrongs committed to attain it. So, is this true? Is it ethical to do things that are clearly unethical with an good goal in mind? Well, it depends. Ethics is defined as the fulfillment of obligation, so if a government is obligated to do whatever it takes to reach a hopefully good end, then the ends *do* justify the means.

However, looking back at my resolution analysis, governments *aren’t* obligated to do whatever it takes to reach an ethical end. By their own choice, all UN nations have declared themselves ethically obligated to *always* refrain from curtailing human rights in any way. In other words, all UN nations have declared that, no matter what good outcome they have in mind, they are not justified to violate rights to achieve it. For governments, the ends can never justify the means if the means involve the violation of human rights.

# Contention 2: Preventive War Assumes the Ends Justify the Means

A preventive war involves the killing of people of other nations *outside* of a declaration of war. Since people, soldier or civilian, hold the right to life outside of war, preventive war’s taking of life violates the human rights of those people killed. Usually, governments justify this by saying that their end goal, perhaps of heightened national security or protecting the citizens, justifies this violation of human rights. Remember the definition of ends justifies the means: doing something unethical is ok if we have an ethical outcome in mind.

Preventive war is a philosophy that believes it is perfectly acceptable to violate human rights for the sake of future prosperity and safety. In doing so, it violates the core, self-declared obligation of government as outlined by the human rights treaty nearly all governments have signed: “By becoming parties to international treaties, … States must refrain from interfering with … enjoyment of human rights.”

In other words, while ours and nearly all other governments have declared that it is never ok to violate another’s human rights, preventive war cannot act without violating human rights. Preventive war is unethical because it requires that the ends justify the means, and, as the United States has established, a government can only fulfill their ethical obligation if they assume the ends *never* justify the means.

Opposition Brief: The Ends Don’t Justify the Means

# Obligation

**Moral obligation goes beyond signed treaties**

*“Three Sources of Moral Obligations: The Root of Business Ethics.” Josephson Institute's Exemplary Business Ethics &amp; Leadership, 13 Dec. 2017, josephsononbusinessethics.com/2011/02/3-sources-moral-obligation/.*

**The third source of moral obligation is moral principle, a standard of conduct that exists irrespective of laws or agreements.** The great German ethicist, Immanuel Kant, expressed the power of moral principle when he said, “Two things fill my mind with ever-increasing wonder and awe: The starry heavens above me and the moral law within me.”

**Moral principles can be** mandated by religious doctrine or **derived through rational philosophical reasoning. In some cases, principles such as justice and benevolence simply emerge as the result of an intuitive moral sense. Whatever their source, however, such principles are at the very core of ethics.**

# Obligation to Human Rights

**The government is obligated to the citizens**

*Tuckness, Alex. “Locke's Political Philosophy.” Stanford Encyclopedia of Philosophy, Stanford University, 11 Jan. 2016, plato.stanford.edu/entries/locke-political/. Accessed 23 Nov. 2019.*

**Locke** **[believed]** used the claim that men are naturally free and equal as part of the justification for understanding **legitimate political government** as [**is] the result of a social contract where people in the state of nature conditionally transfer some of their rights to the government in order to better ensure the stable, comfortable enjoyment of their lives, liberty, and property.** Since governments exist by the consent of the people in order to protect the rights of the people and promote the public good, governments that fail to do so can be resisted and replaced with new governments.

**The United States prioritizes ‘America first’**

*“President Donald J. Trump Is Strengthening America's Cybersecurity.” The White House, The United States Government, 20 Sept. 2018,* [*www.whitehouse.gov/briefings-statements/president-donald-j-trump-is-strengthening-americas-cybersecurity/*](http://www.whitehouse.gov/briefings-statements/president-donald-j-trump-is-strengthening-americas-cybersecurity/)*. Accessed 23 Nov. 2019.* *This quote comes from a paper published by the White House.*

**We must protect the American people, homeland, and our great American way of life. – President Trump**

**The United States has prioritized protecting America since the Obama administration**

*“Transcript: President Obama's Final State Of The Union Address.” NPR, 13 Jan. 2016,* [*www.npr.org/2016/01/12/462831088/president-obama-state-of-the-union-transcript*](http://www.npr.org/2016/01/12/462831088/president-obama-state-of-the-union-transcript)*. Accessed23 Nov. 2019.*

It's up to us to help remake that system. And that means we have to set priorities.

**Priority number one is protecting the American people** **and going after terrorist networks.** Both al Qaeda and now ISIL pose a direct threat to our people, because in today's world, even a handful of terrorists who place no value on human life, including their own, can do a lot of damage. They use the Internet to poison the minds of individuals inside our country; they undermine our allies.

# The Ends Don’t Justify the Means

**Some philosophers believe the ends can justify the means**

*Boydston, Jo Ann, and Barbara Levine, (editors) “The Later Works, 1925-1953.” The Later Works, 1925-1953, by John Dewey, Southern Illinois University Press, 2008, pp. 321–321.*

Means used determine the end actually reached. **The end justifies the means only when the means used are such as actually bring about the desired and desirable end.**

1. ““The Cashing-in: the Student ‘Rebellion.’” *The Cashing-in: the Student "Rebellion"*, by Ayn Rand, N. Branden Institute, 1965, pp. 256. Accessed 23 Nov. 2019. [↑](#footnote-ref-1)
2. "Preventive war." Dictionary of Military and Associated Terms. 2005. *US Department of Defense.* <https://www.bits.de/NRANEU/others/jp-doctrine/jp1\_02(05).pdf>. Accessed 23 Nov. 2019. More recent publications do not define Preventive War. There is no further context, and this is defining Preventive War directly. [↑](#footnote-ref-2)
3. Velasquez, Manuel, et al. “What Is Ethics?” *Markkula Center for Applied Ethics*, 1 Jan. 2010, www.scu.edu/ethics/ethics-resources/ethical-decision-making/what-is-ethics/. Accessed 23 Nov. 2019. [↑](#footnote-ref-3)
4. “The Foundation of International Human Rights Law.” *United Nations*, www.un.org/en/sections/universal-declaration/foundation-international-human-rights-law/index.html. Accessed 23 Nov. 2019. [↑](#footnote-ref-4)
5. “Member States.” *United Nations*, www.un.org/en/member-states/index.html. Accessed 23 Nov. 2019. [↑](#footnote-ref-5)
6. “End Justifies the Means.” *Dictionary.com*, www.dictionary.com/browse/end-justifies-the-means--the. Accessed 23 Nov. 2019. [↑](#footnote-ref-6)