Human Dignity   
—  
Negative Case by Joshua Johnson

**Summary**

The purpose of this Negative case is to provide a simple response to the resolution that both you and your audience can easily understand. The opening quote by Ayn Rand succinctly summarizes the Negative position: private property rights are an inseparable part of your humanity. The loss of private property rights is the loss of a very part of your being. I also love how John Locke said it: “Every man has a property in his own person. This nobody has a right to, but himself.”[[1]](#footnote-1) I recommend that you continually remind your audience of this point as it is something your opponent will likely not address. Point out that regardless of whether public goods are good or bad, in the end, devaluing private property rights ends up taking away part of your very humanity. Even if an individual receives just compensation for their appropriated property, there is still a sense of loss that an individual experiences. Why? Because property rights are inherently part of you. This is why the resolution must be negated.

Considering the applications of Germany and China, they are very straightforward. Private property has been clearly lost in both cases because of the valuing of public needs. For Nazi Germany, while your opponent may try to argue that the Nazis were driven by Aryan thought and not public needs, look at the Alpha History article cited in the example. It argues that both were simultaneously upheld, so the public need was a driving factor behind the catastrophic genocide committed against the Jews. One example that I did not include in this case that would be good to have in the back of your mind before debating is the Soviet Union. After the Communists seized Russia in 1917, Vladimir Lenin implemented the New Economic Policy which stripped citizens of private property rights. Years later, Joseph Stalin nationalized all remaining private businesses and “forced peasants onto party-controlled collective farms.”[[2]](#footnote-2) Under these communistic policies, tens of millions of people were killed and violated. The reason it is important to consider this example is that the 1940s through the 1990s have seen some of the largest genocides and human life catastrophes in the history of the world…most of which were caused by communist thought, which advocates for the abolition of private property.

For the American colonists of Maryland, this is also straightforward: the German settlers left Europe because of the terrible persecution against religious minorities. Persecution almost always included the loss and destruction of private property rights, and thus in order to create a society that upholds human dignity, the colonists made laws providing for the protection of private property. This laid the foundation for the American colonies to grow as a country founded upon the protection of private property. Over time, valuing private property rights has not only protected citizens throughout America, it has also prospered the nation as a whole. If you have the time to read the article by Lee Hoskins and Gerald P. O’Driscoll under Contention 2, I highly recommend you do so. It provides further information concerning Maryland and the overall history of private property rights and its link to economic and societal success.

The case (for me) is 4 minutes and 35 seconds long. If want more time, feel free to use one of the two examples under Contention 2 and use the other one as a negative response application in your rebuttals. If you do end up using this case, I recommend you practice speaking it out loud several times to become comfortable with it. Winsome debaters have great pauses, voice inflection, and moderate speaking paces, and practicing speaking out loud will certainly help you in those ways.

I hope you have a blessed speech and debate season! Remember who your true audience is: Christ. I can guarantee as you seek to glorify and love Him through your rounds He will bless you immensely! Many blessings!

Human Dignity

# Introduction

“Just as man can't exist without his body, so no rights can exist without the right to translate one's rights into reality, to think, to work and keep the results, which means: the right of property.”[[3]](#footnote-3)

It is because I agree with American novelist and philosopher Ayn Rand that private property is inseparable from our very humanity that I negate the resolution: *public needs ought not to be valued above private property rights*.

# Definitions (only if needed)

Public needs are a public’s means of maintaining or supporting itself at a minimum level.[[4]](#footnote-4) Examples include basic medical services, educational programs, assistance in obtaining food, shelter, clothing, transportation, freeways, roads, etc.[[5]](#footnote-5)

Private property rights are the rights owners have to the exclusive use and disposal of private land or belongings.[[6]](#footnote-6) Examples include buildings, money, copyrights, patents,[[7]](#footnote-7) personal data, and information.[[8]](#footnote-8)

In order to negate the resolution, I provide the counter value of Human Dignity:

# Value: Human Dignity

Human dignity is operationally defined as the respect and protection of an individual’s intrinsic worth, especially the individual’s life and rights. Human dignity is the highest value because it provides a clear and objective measuring stick for weighing the resolution. People are inherently valuable and deserve to be protected.

This leads me to my first contention:

# Contention 1: Public Needs Harm Human Dignity

Public needs harm human dignity because they often fail to adequately provide for the protection of individual’s worth, life, and rights. Valuing public needs over private property strips individuals of a very piece of their humanity. While the collective is important, individuals are foundational for society, and therefore failing to care for the individual results in failing to care for society at large.

## Application 1: Nazi Germany

With the rise of World War II in 1940, Nazi Germany grew in its need for war materials, food, land, supplies, and soldiers. Many Nazis saw the Jewish population as a solution to their growing needs. In the name of Aryan supremacy and societal needs, “the Nazis carried out a program of Jewish property seizures that stripped European Jews of billions of dollars worth of cash, housing, businesses and personal belongings. These seizures were ideologically driven, designed to eradicate the economic influence of Jews *while contributing the war effort*.”[[9]](#footnote-9) Not only did this end in the deaths of nearly 6 million Jews, but it left Europe scarred. In other words, valuing public needs over private property rights violates human dignity and harms the world greatly.

## Application 2: Communist China

Ever since China adopted communism under Mao Zedong, Chinese citizens have suffered. Karl Marx said in the *Communist Manifesto* that the summation of communism is “the abolition of private property.”[[10]](#footnote-10) China Business Review points out that within the last few years two million rural residents lose their land each year because Chinese local government can appropriate land and private property “without the consent of property holders for the purpose of ‘public interest.’”[[11]](#footnote-11) 27% of China’s total local government budget comes from the government selling expropriated land, which is roughly $300 billion.[[12]](#footnote-12) While this appropriation provides society with necessary funds, it leaves individuals stripped of self-worth, life, and rights. The valuing of public needs over private property rights destroys human dignity.

Thus, in order to avoid harming human dignity, we must value private property rights higher, leading me to my second contention:

# Contention 2: Private Property Rights Protect Human Dignity

Private property rights protect human dignity because they provide safeguards for the inherent worth, life, and rights of an individual by providing for the wellbeing of society. Take the following example:

## Application: The American Colonists of Maryland

In 1634, German settlers colonized Maryland because of religious persecution in Europe. Former human rights violations inspired the colonists to incorporate the protection of private property rights in their laws. In 1763, they reported the following: “The law of the land is so constituted, that every man is secure in the enjoyment of his property,” and “the meanest person is out of reach of oppression from the most powerful, nor can anything be taken from him without his receiving satisfaction for it.”[[13]](#footnote-13) In other words, the Maryland colony thrived because the citizens were secure in their private property. Economists and historians Lee Hoskins and Gerald O’Driscoll conclude in “Property Rights: The Key to Economic Development,”

“The stronger the set of property rights, the stronger the incentive to work, save, and invest, and the more effective the operation of the economy. The more effectively an economy operates, the more growth it will produce for any set of resources.”[[14]](#footnote-14)

In other words, because early colonists valued private property rights over public needs for the sake of human dignity, they birthed one of the greatest countries and economies in the world.

Affirmative Brief: Human Dignity

While the Negative position is that private property rights are an inseparable part of your humanity, I think Martin Luther King, Jr. counters this point well:

“Property is intended to serve life, and no matter how much we surround it with rights and respect, it has no personal being. It is part of the earth man walks on. It is not man.”[[15]](#footnote-15)

There is a distinction between rights and people. Yes, they are connected. But just because your right to private property is valued less than public needs does not mean that they are lost. Eminent domain is a great example in which the necessities of society are valued higher than private property rights and yet citizens are usually justly compensated for what belongs to them.

Considering Nazi Germany, keep the following in mind: (1) the ideology behind the loss of Jewish property was not primarily public needs; rather, it was Aryanism and anti-Semitism. History is clear on this point. (2) The nation did not need to seize Jewish property to maintain its minimal survival. A “need” by definition is something society cannot function without. Germany still functioned well even without the illegal appropriation of Jewish property. To steal their property was merely an illegal, ideologically-driven contribution to the war effort, not promotion of public needs.

Considering Communist China, be sure to emphasize to your audience that you, as the Affirmative, are not arguing for the abolition of private property. You do not have to affirm communism as the Affirmative because it does not accurately reflect your side of the resolution. You are talking about *valuing* public needs higher than private property. You are not arguing for the abolition of private property. Also, keep in mind that recent laws in China have actually provided for the protection of private property, not their appropriation.[[16]](#footnote-16) In fact, these new laws enacted by the Chinese government have actually caused a flip to occur in culture: private property rights have been valued so much that many people have been stubborn when it comes to the construction of necessary freeways and roads. Many Chinese people refuse to give up their homes (protected under new Chinese laws) for the sake of society’s growing needs for more freeways and roads. Yes, communism was bad in the past. But Chinas is changing for the better now. It is just leaning too much towards private property rights now, thereby harming society. This turns the application to your favor showing why we need to value public needs higher.

Finally, considering the colony of Maryland, argue that while this may show that private property rights are important, it doesn’t clearly show why they should be valued *above* public needs when they come into conflict. Sure, private property was an essential part of the founding of America. But times are different now. And different times present new challenges (like freeways, roads, bridges, etc.) These newer challenges must be met by valuing public needs higher than private property rights. Eminent domain is a great example of when the government appropriates land and provides just compensation to private property owners. In fact, according to economists and university lecturer David Lewis, after thorough research concerning major cases dealing with eminent domain, he concluded the following: “In most cases eminent domain is used sensibly, and we must not forget it.”[[17]](#footnote-17) Eminent domain is a great example of why public needs should be valued above private property rights and simultaneously provide for the good of all people, including private property owners. Society would not be where it is today had we not provided for our ever growing needs as an industrial and economic superpower. This has also provided for the overall health and prosperity of society, thereby promoting the overall rights and lives of human beings: human dignity.

1. The Quote Garden. “Quotes about Property.” <http://www.quotegarden.com/property.html> [↑](#footnote-ref-1)
2. Maggs, Peter B. “Soviet Law.” Encyclopedia Britannica. <http://www.britannica.com/topic/Soviet-law> [↑](#footnote-ref-2)
3. The Quote Garden. “Quotes about Property.” <http://www.quotegarden.com/property.html> [↑](#footnote-ref-3)
4. Operationally defined based on Clark Lorren’s article and various online definitions of “public” and “needs.” [↑](#footnote-ref-4)
5. Clark, Lorren. “Definition of Want vs. Need.” Learning to Give. <https://www.learningtogive.org/resources/definition-want-vs-need> [↑](#footnote-ref-5)
6. Based on the dictionary.com definition of private property. <http://www.dictionary.com/browse/private-property> [↑](#footnote-ref-6)
7. Business Dictionary. [↑](#footnote-ref-7)
8. Titus, Aaron. “Is Personal Information Property?” Because I am Here. <http://www.aarontitus.net/blog/2009/01/17/is-personal-information-property/> [↑](#footnote-ref-8)
9. “Jewish property seizures.” Alpha History. <http://alphahistory.com/holocaust/jewish-property-seizures/> [↑](#footnote-ref-9)
10. Marx, Karl. “The Communist Manifesto.” Chapt. II Proletarians and Communists. <https://www.marxists.org/archive/marx/works/1848/communist-manifesto/ch02.htm> [↑](#footnote-ref-10)
11. Keliang, Zhu. “Land Reform Efforts in China.” China Business Review. <http://www.chinabusinessreview.com/land-reform-efforts-in-china/> [↑](#footnote-ref-11)
12. Ibid. [↑](#footnote-ref-12)
13. Hoskins, Lee & Gerald P. O’Driscoll. “Property Rights: The Key to Economic Development.” Libertarianism.org. <http://www.libertarianism.org/publications/essays/property-rights-key-economic-development> [↑](#footnote-ref-13)
14. Ibid. [↑](#footnote-ref-14)
15. The Quote Garden. “Quotes about Property.” <http://www.quotegarden.com/property.html> [↑](#footnote-ref-15)
16. Sim, David. “China’s nail houses: Defiant homeowners who refuse to make way for progress [Photos].” International Business Times. <http://www.ibtimes.co.uk/chinas-nail-houses-defiant-homeowners-who-refuse-move-out-make-way-progress-photos-1512027> [↑](#footnote-ref-16)
17. Lewis, David. “Eminent Domain: Still a Useful Tool Despite Its Recent Thrashing.” Planetizen. <http://www.planetizen.com/node/21109> [↑](#footnote-ref-17)