Corruption
Negative Case by Micah Chapman



The debate over privacy vs. security is something that has been discussed over and over. Multiple leagues have used variations of this conflict in the past. I personally have debated this same topic under cyber security year in team policy and in a debate I did for a school event. Every time this debate occurs, the team on the side of privacy (this year, the negative) tends to argue the same thing: they say the government has no business snooping around our personal information. If debaters this year are not careful, they can fall into that same trap – making arguments that are very shallow and don’t dive deep into any real, interesting, or philosophical debates.

This case attempts to break that mold. This case says that privacy is more than just “something we should have because it feels good”, it is instead a necessity to protect ourselves from corruption. It may be easy to be swept up in deontology, and non-practical, abstract ideas, but remember: this does affect things far beyond just our privacy.

Growing up around debate, I often heard quotes from founding fathers talking about how the government should not have unbridled power, and I accepted these as true without really knowing why. As I matured, I began to realize why: Power is infectious. If we set a precedent for the government to take whatever they want from their citizens with no repercussions, it means there is nothing stopping the government from using that power for corrupt means.

Quick note about the value: “Equality Under Law” is pretty much a fancy version of justice; it narrows down the focus somewhat, but really exists as a persuasive element. If your opponent proposes the counter-value of justice, accept it – just make sure to explain to the judge how these two values blend together. Equality under law essentially means that laws should be applied to all people in a fair way, and that everyone should receive equally just treatment. It’s basically justice’s cool older brother. At the most it’s a round-winning persuasive technique, and at the least it serves as a description of an otherwise vague value.

When running this case, remember that the specific examples, although important, should not be the focus of your argumentation. Spend time painting a picture for your judge of a world where every action we take is recorded by the evil government. Make the affirmative side seem less like a safe reality and more like a terrifying dystopia. If you win that rhetorical shift, you should be able to win the round.

Good luck.

Corruption

Power is addictive. When someone gains control over others, it motivates them to use that control in whatever ways they please and increase their power, causing a deadly cycle. Governments are extremely vulnerable to this. When we, as citizens, stop controlling the government and instead allow it to control us, that is when equality and freedom are lost. To prevent this, I negate today’s resolution, and believe that criminal procedure should *not* value truth-seeking over individual privacy.

# Definitions:

## Criminal Procedure: “The methods of the law that apply to the apprehension, trial, and punishment of the accused.”[[1]](#footnote-1)

## Truth Seeking: Any attempt to uncover the truth of alleged criminal activity.

## Individual Privacy: “The right of people to lead their lives in a manner that is reasonably secluded from public scrutiny.”[[2]](#footnote-2)

# Value: Equality Under Law

When a government creates laws, justice dictates that they should apply equally to all people. However, it is the duty of a nation’s citizens to make sure that their government does not use those laws for corrupt measures; measures that favor some people over others, destroying justice and equality. In order for Criminal Procedure to function, justice must be equally administered.

# Contention 1: Privacy Ensures Equality

The more power a government has, the more likely it is to use that power for evil purposes. There is a reason that big, centralized governments have the highest levels of corruption. The American founding fathers knew this and created a government with a balance of power. However, this balance only works if the citizens have privacy, and limit what the government can know about them. Without privacy, governments would have nothing stopping their quest for “truth” and could easily use whatever means necessary to reach some half-baked version of the real truth. This would result in false convictions and the unequal distribution of the law.

## Example: Salem Witch Trials

One of the most popular examples of mass hysteria was in the Puritan settlement of Salem Village, Massachusetts in 1692. When individuals started demonstrating strange, erratic behavior such as muscle spasms and sickness, the Puritan leaders accused multiple women of practicing witchcraft and put them on trial. Their attempt was to seek truth, however privacy was not prevalent in their society. This lack of privacy permitted corruption to flourish, and fellow Puritans used obscure, often made up stories to convict those they did not like of witchcraft. Because these citizens lived extremely public lives, the court was compelled to believe these stories. The Puritan leaders were so bent on finding the truth that they killed over 25 women who were accused of bewitching their comrades.[[3]](#footnote-3) If Salem had prioritized privacy, and recognized that all people have the right, in essence, to be left alone, lawful and just equality could have been upheld.

# Contention 2: Unlimited Truth-seeking Stifles Equality

With unlimited power, it is impossible for a government to remain fair. When privacy is taken, governments go to whatever means necessary to seek truth. This is often counterproductive and can result in unjust judicial decisions. In an attempt to seek truth, truth itself is sacrificed in the process. *Real* truth only can be found when governments respect the rights of their people, otherwise nothing prevents pure tyranny.

## Example: Venezuela

Venezuela is in a political and social crisis of massive proportions. Crime, economic failure, and corruption have all deepened as time has passed. According to The World Justice Project’s Rule of Law Index, Venezuela has the most corrupt justice system in the world.[[4]](#footnote-4) One of the symptoms of this corruption is the online surveillance and censorship of people all around the country.[[5]](#footnote-5) The Venezuelan people are afraid to communicate freely, for fear their lives and well-being may be threatened by the ever-watching government. Innocent citizens are being treated as criminals, and inequality is rampant.

Without privacy, corruption is the inevitable end. In order for criminals to be punished, innocent people to be respected, and corruption to be avoided, today’s resolution must be rejected.

Opposing This Case

When addressing a case such as this, it is important to remember not to allow the negative to run away with hypotheticals. Although they may attempt to make the government seem scary and evil, remind the judge two things:

1. Reality is much less exciting. More often than not, the government has our best interests at heart. And remember, the government is not stealing all of our information solely because they love stealing our stuff; they take it to find truth and establish justice. The resolution says, “In *criminal procedure*”, which you should focus on as the affirmative.
2. Don’t focus on the extremes. This resolution is on balance, meaning that all either side has to prove is that their side is *mostly* better. The extreme of any position, opinion or idea, no matter how captivating, is always bad. If your opponent uses extremes, point out that this debate needs to happen in the real world, and use examples to show how the same “the extreme of your side is bad” argument works against them as well.

More than anything, be realistic. Don’t be afraid to call your opponent out (kindly) for misrepresenting this debate, as many negatives will attempt to do this year.

Have fun!

1. “What is Criminal Procedure? Definition of Criminal Procedure”, Black’s Law Dictionary, 5 Nov. 2011, <https://theladictionary.org/criminal-procedure/> [↑](#footnote-ref-1)
2. “Privacy”, Legal Dictionary, 15 Oct. 1998, <https://legal-dictionary.thefreedictionary.com/privacy> [↑](#footnote-ref-2)
3. “Salem Witch Trials”, History.com, 4 Nov. 2011, <https://www.history.com/topics/salem-witch-trials> [↑](#footnote-ref-3)
4. “Rule of Law Index”, World Justice Project, 25 Mar. 2014, <http://data.worldjusticeproject.org/> [↑](#footnote-ref-4)
5. “Venezuela is Blocking Access to the Tor Network”, The Verge, 24 Jun. 2018, <https://www.theverge.com/2018/6/25/17503680/venezuela-tor-blocked-web-censorship> [↑](#footnote-ref-5)