

Rights & Liberty

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Plan

1. Some general prep strategies
2. Making arguments
3. Arguments about rights
4. Some important and common clashes of rights

The Agenda for brainstorming and discussing a debate

AFFIRMATIVE

1. What's happening now and what's wrong with it?
2. What should we change with our model – who will do what differently?
3. What will our end-game be?
4. What will the negative say about the SQ, mechanism and end game?
 - If there are options – consider them and decide which is hardest for you.
5. What are the key arguments for their approach in light of ours'?

Given your answers:

6. What will you need to prove to win?

NEGATIVE

1. What's happening now – is there anything wrong with it?
2. What will the affirmative propose to do?
3. What is their likely end-game?
4. In light of that - do you need a counter-model or can we say that they will make it worse?
 - What will we change – who will do what differently to the SQ and affirmative's model?
 - What will our end-game be?
5. What are the key arguments for their approach in light of ours'?

Given your answers:

6. What will you need to prove?

Timeline

0-2mins Brainstorm

- Focus on being ready to answer the agenda

3-10mins Download your brainstorm to the team


- Follow the agenda – get an answer to the first question first, then move on
- Get an answer and then ask if there are any concerns or alternate suggestions – if not, move on.
- Discuss and argue each of the agenda items that you disagree on.

10-20mins Decide the arguments

- What needs to be proved at first?
- Decide the labels
- Decide the sub-levels
- What are the second speaker arguments?

20-25mins Write

25-30mins Refine

- Anticipate, pre-empt, balance and compare
 - Add examples, depth and sophistication
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Labelling: Make your case MECE

That we should lower the voting age.

That those affected by the government should be entitled to vote.

That children are sufficiently affected by the government to be entitled to vote.

That engaging children will improve policy outcomes for society.

That It's a fundamental right to control those who exercise authority.

That children contribute enough to government.

That having the vote encourages govts. to be accountable to you.

That children have the necessary capacity to be able to exercise the vote.

That government policy affects their interest.

That children's votes will help value long-run concerns.

That using any other test of eligibility is problematic.

That parents and other proxies don't sufficiently protect children.

That children will gain a voice for sidelined issues.

The agenda IS the case

1. What's happening now and what's wrong with it?

This is the introduction

2. What should we change with our model – who will do what differently?

This is the model and definition

3. What will our end-game be?

This creates a team goal to focus on and defend – rounds out intro

4. What will the negative say about the SQ, mechanism and end game?

This will help you know what you are comparing

5. What are the key arguments for their approach in light of ours'?

This helps you prepare responses and make arguments comparative

6. What will you need to prove to win?

These are the first speaker's arguments.

Second Speaker Material

Don't need to prove these things – won't win or lose the debate if you fail to make these points (if they are, put them at first). So...

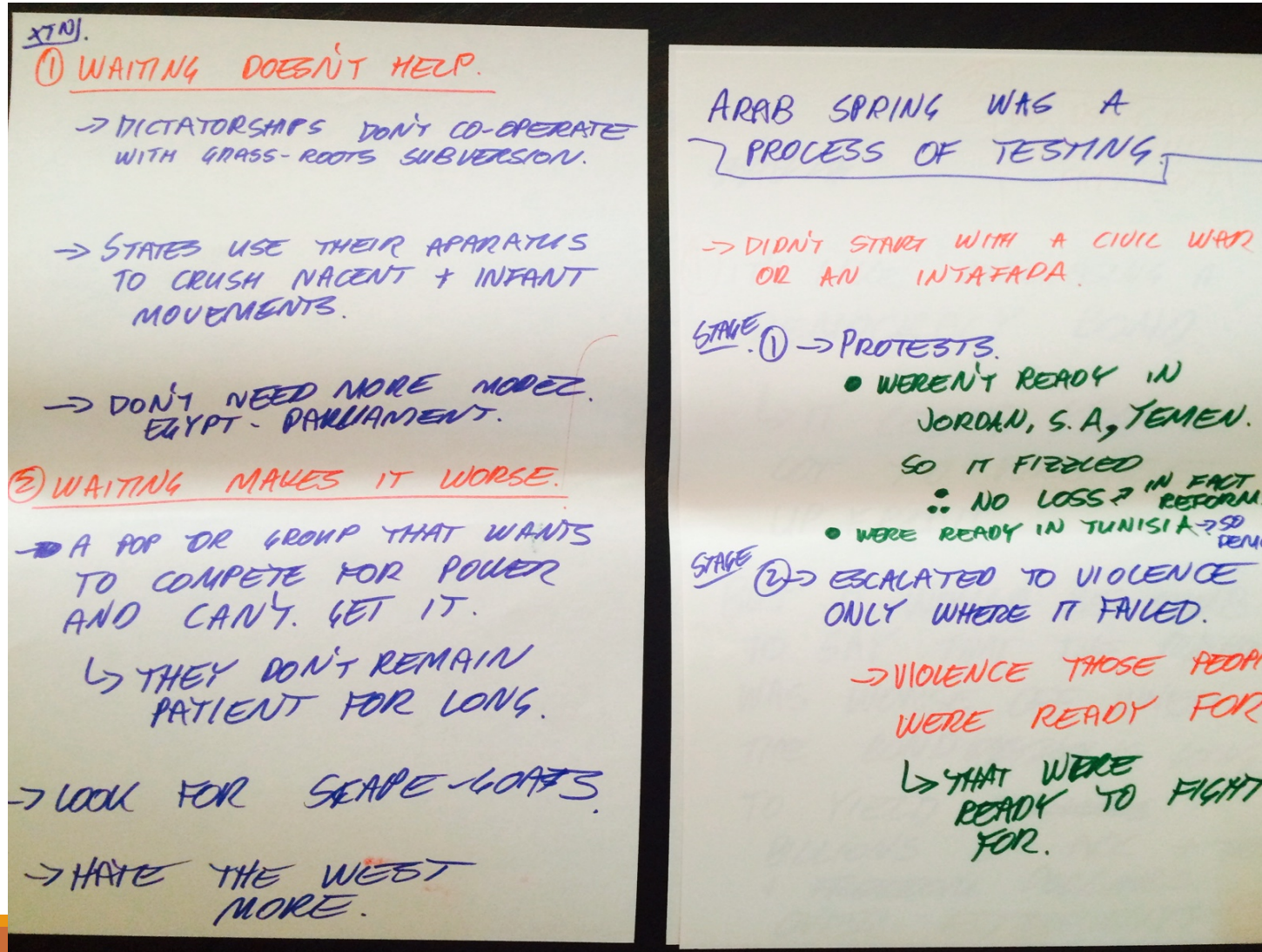
Designed to make life harder for the other team – Have to force them to rebut it.

- The harm/benefit can't just be another reason why a bad thing is bad. I.e. it can't entirely contingent on winning another argument.
- Can't be so marginal that the opposition can just claim it's outweighed.

Consider other ways to show that existing harms will be caused.

- Look to context or the combined effect of a number of impacts of a policy.
- Eg. That this policy comes at an ideal time,
 - that it will work with other policies to have an effect greater than the sum of its parts
 - that it will create a positive feedback loop.

You write notes for an argument NOT 'A SPEECH'



- Use whatever size you want
- Use colours
- Write big
- Don't write between the lines
- Draw diagrams and show levels
- Don't have to spell things correctly

2. Making Arguments




Goal is to prove Benefits and Harms...

- Going to happen when the policy is implemented (policy debates)
- Happening in the past or right now (empirical debates)

1. Something is going to happen.

- What is going to happen?
- How is it going to happen?
- Has it happened that way before?

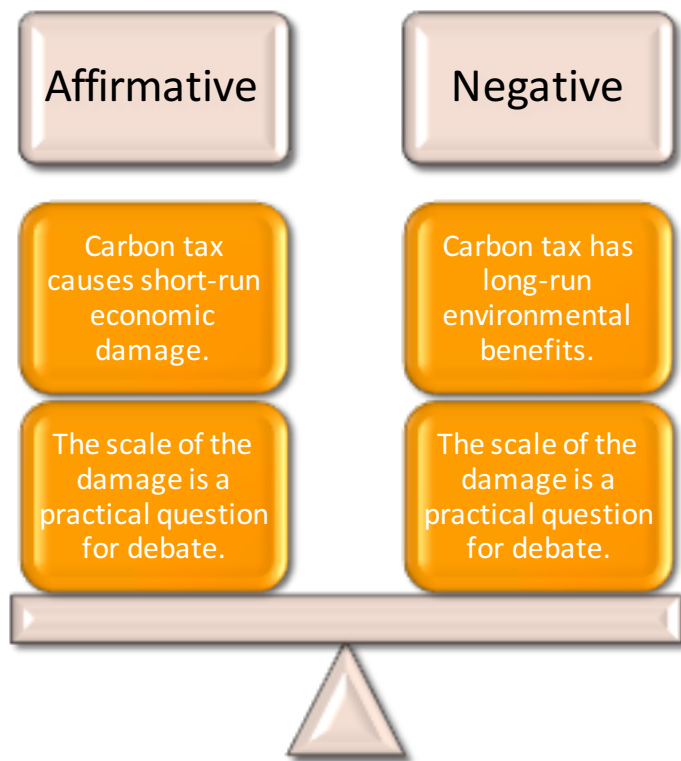
2. That thing will be beneficial/harmful.

- What are its positive consequences
 - Why are they more/less significant than the negative consequences
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Example:
That we should Abolish the carbon tax.

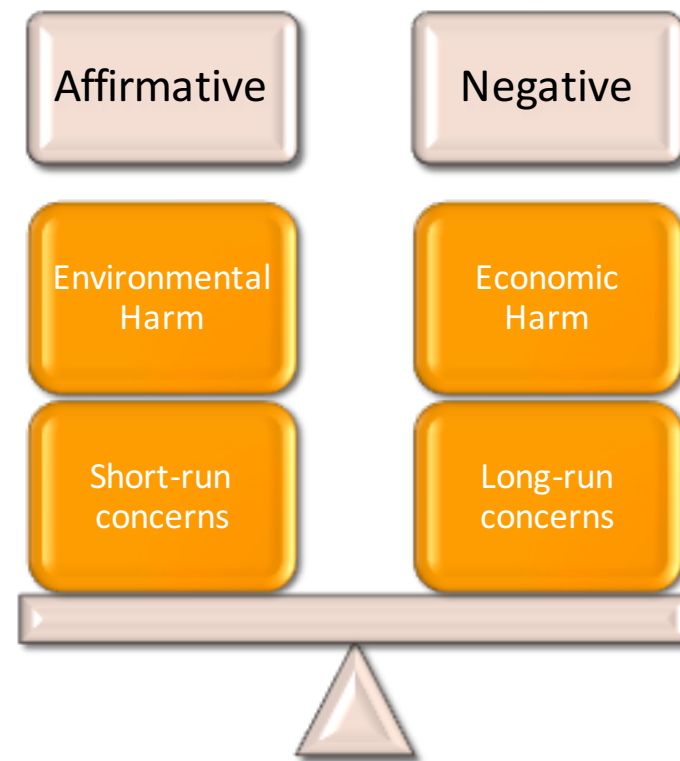
PRACTICAL QUESTION

WHAT AND HOW MUCH OF IT WILL HAPPEN?



PRINCIPLED QUESTION:

WHAT IS MORE IMPORTANT?




1. Proving something will happen

You need to prove that the policy will cause the benefit/harm that you claim it will.

Often there is a chain of things that have a 'domino effect'

- E.g. That we should raise taxes on cigarettes
 - Argument: Raising taxes will stop people smoking
 - Step 1: Raising taxes increases the price of cigarettes
 - Step 2: Increasing the price of cigarettes dissuades people from smoking them
 - *You need to prove each step in the chain*

Sometimes you will have evidence to show that a similar policy has had the effects you think it will have. You should include this in your argument, but be careful because:

- The policy might have been different
 - There might have been something different about the place it was tried
 - There might be controversy over exactly what happened
 - The other team or judge may not believe you
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How will people respond to a policy


One of the most common elements in a chain of effects is how people respond to a change in policy.

- Recall: Step 2: Increasing the price of cigarettes dissuades people from smoking them

Stakeholder Analysis:

Step 1: Don't treat all people the same – break different people down into sensible groups and deal with them one at a time.

Step 2: Think about how you would behave if you were a member of each group.

- Think about your incentives – what would give you the most reward?
 - Think about your abilities – are there limits on what you can actually do?
 - Think about your attitude – is there an X factor like culture or history that might shape the way people view their incentives and abilities.
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2. Proving that Something is good or bad

1. You need to explain **how** to measure a harm or a benefit

For example:

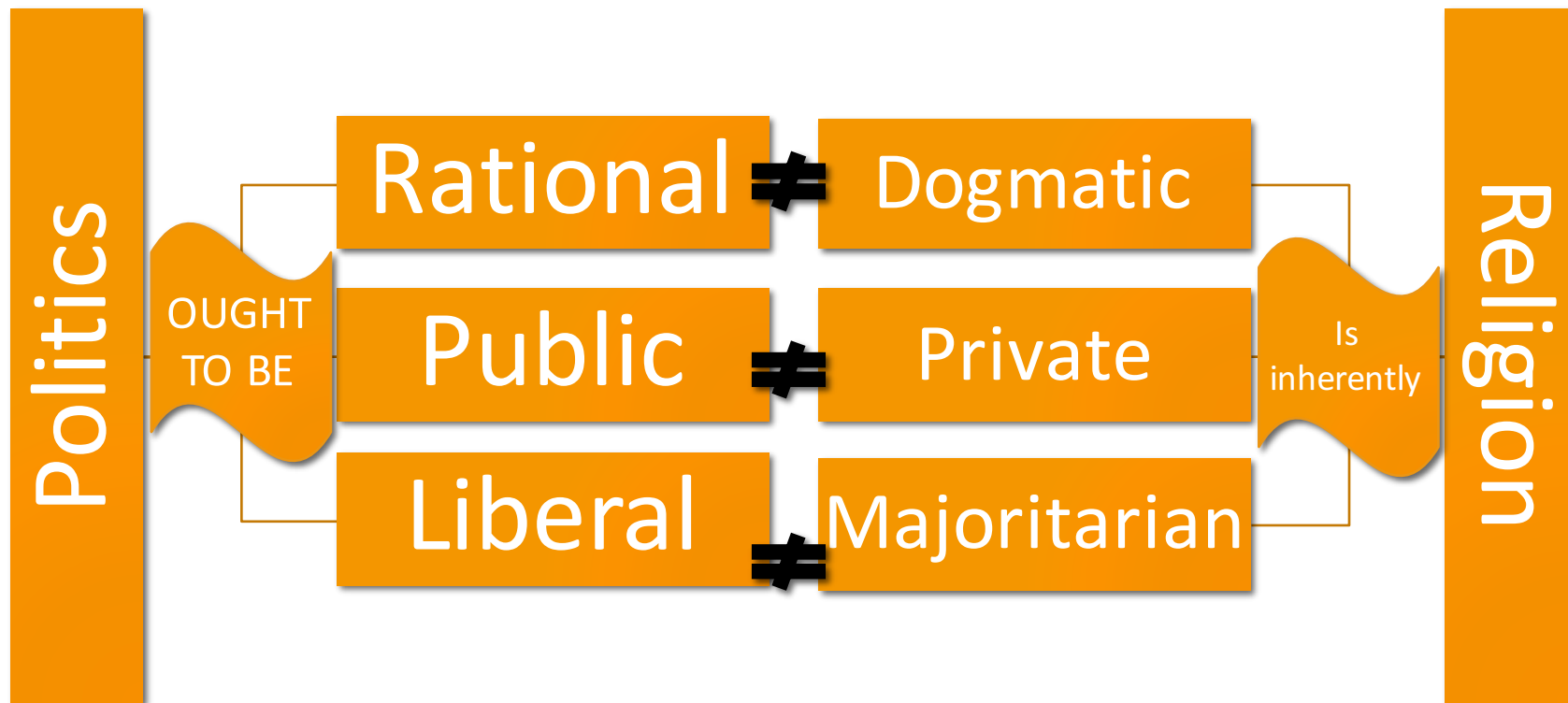
- How many people are better or worse off? (scale)
- How much are they better or worse off? (degree)
- Are they benefited in the short or long term? (time frame)
- In what way are they better off? (type)
 - i.e. socially? Economically? Environmentally?

2. You need to explain **why** your measurement is the best

- If you're defending **scale**:
 - Talk about making more people happy = more happiness in general
- If you're defending **degree**:
 - Why is the group that is a lot happier so important?
- If you're talking about **time frame**:
 - Why is it important that the problem be fixed slowly or quickly?
- If you're talking about **type**:
 - Why is your type more important?

Fitness for Purpose – Not always just about goodness and badness in the abstract.

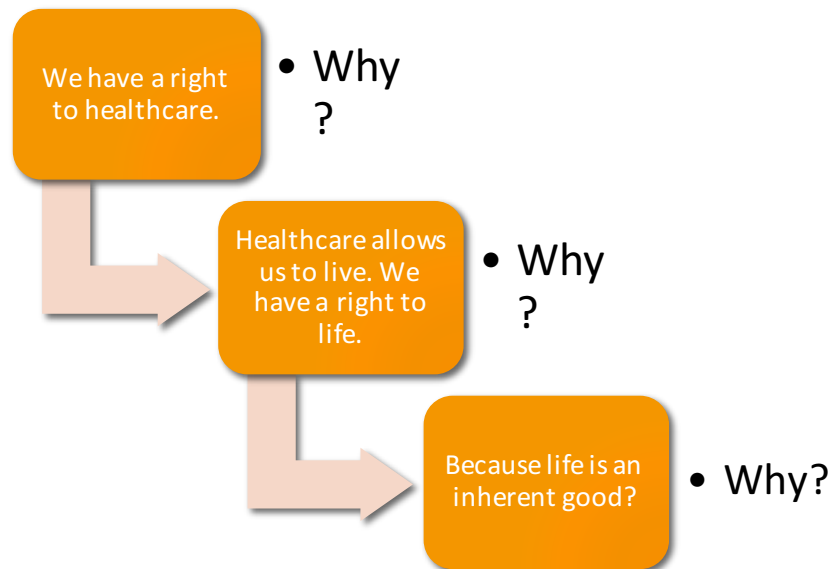
EG. THAT RELIGION HAS NO PLACE IN POLITICS. AFFIRMATIVE.



3. Arguments about rights



Debates about rights: 1st and 2nd order rights



Instrumental Rights – Rights that are granted because they allow some other good.

Inherent Rights– things that are good in and of themselves. Very assertive claim have to make with rhetoric.

Make a clear causal link between the right at play in the debate and an inherent right. Don't jump straight to the inherent right.

Don't argue that rights are absolute unless you have to.

Principled clashes about rights

Every right creates a burden on someone else.

That burden may be a positive to do something

- e.g. to rescue you when you are drowning

Or negative burden to NOT do something

- e.g. to not push you into the water

How do we balance competing rights and obligations?

Justify a right because of:

1. Something about the person and their entitlement to the right.
 - Are they vulnerable?
 - Is there something about their position that entitles them to higher consideration – eg. past wrongs committed against them?

2. Something about the nature of the right
 - Is the benefit of this right unable to be achieved elsewhere?
 - How important is the benefit of this right?

3. Something about the motives behind the use or exercise of the right.
 - Is the motive behind the use of the right exploitation?

Compare on each of those categories with the imposition of the obligation required to create the right.



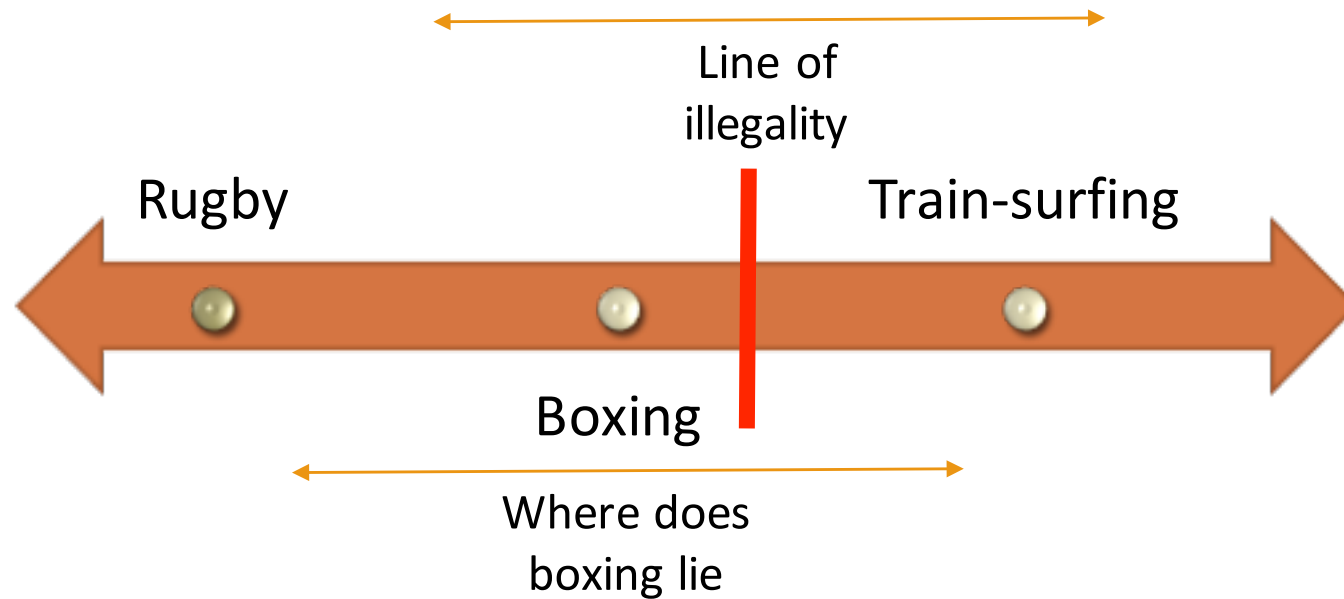
Analogies

You can argue for rights by analogy

- Don't forget that you only need to prove the topic, not everything like it.
- Just because something is (dis)similar to something we already do doesn't make it (wrong/)right.
- Some things can be distinguished because they have a cost or benefit associated with them that is different to the policy at hand.
- It's OK to be arbitrary, but you have to justify why you're being arbitrary. Equally if the other team is being arbitrary – you need to point to the harm of them being arbitrary.
- Use spectrums to understand where the subject matter sits.
- Use spectrums to understand the difference between things on the spectrum.

Drawing a line: understand the spectrum

Eg. Banning boxing



Both disputes have a practical and principled component



Principles that shape our views of the practicalities

Sometimes you can have a principled attitude to shape how you assess the world. Call these evidentiary principles.

Eg. where it likely that most people aren't properly consenting to a particular risk we will ban it even though it will restrict the free choice of some people who are consenting.

We should 'err on the side of caution' where:

- The harms are permanent/irreversible/significant
- More likely not consenting because of numbers
- It is impossible, inconvenient or unreliable to scrutinise/distinguish

4. Important and common rights clashes



The right to choose Things

People should be allowed to make choices for themselves even if they are potentially risky choices.

Except if:

- The consequences of the choice will affect/harm other people.
 - Types of harm to others? Eg. Offence?
 - Directness of harm to others? Eg. Loss of family earnings leading to harm.
- People have not properly consented (soft paternalism)
 - Informed consent – understand the options before them
 - Free consent – without duress, have real options
 - When does an influence become coercion?
 - Explicit consent – have given consent for this particular risk.
- There is something about the choice that makes it wrong to consent to (hard paternalism).
 - Objective wrongs.
 - It's so wrong that they must not have consented – an evidentiary short-cut.

Who should make a decision?

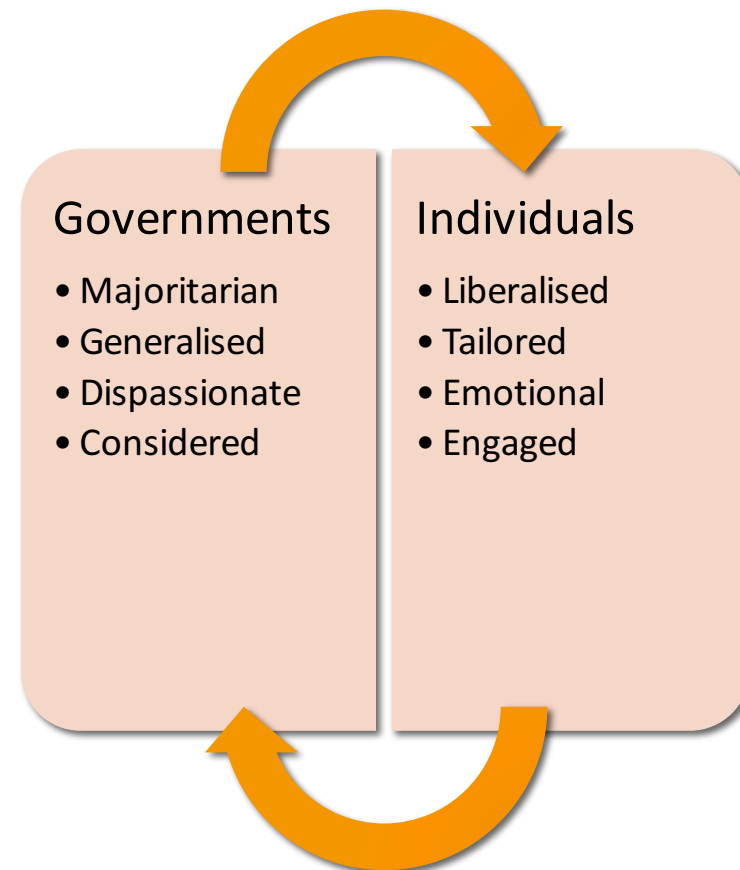
Comparing two decision-makers – eg. Governments, parents, children, doctors, teachers, the mentally ill, children, animals

- What do you know about the incentives, capacities and ideologies of each decision maker?

As to their competence to make a particular decision. Eg. to choose an education, to adopt a particular course of treatment.

- What do you know about the perspective and qualities required to make this type of decision

Tie them together and consider fitness in light of purpose




Should we allow an (unregulated) Market in X?

Benefits of the market:

- Allows people to freely exchange goods and services that they want.
- Allows people to determine the price and thus value of goods and services.
- Profit incentivises investment and risk taking.
- Competition for profit drives innovation and competition to lower the cost of products.
- Competition leads to allocation of scarce resources to where they are most profitable.
 - Resources may be: material inputs, capital, labour etc.

Harms of the market:

- People do not have equal purchasing power so price may be distorted.
 - Markets may be monopolistic
 - Markets may fail to price externalities
 - Markets may fail to protect the commons
 - Markets may have imperfect information
 - Some goods should not be thought of as commodities.
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Short-term vs. Long-term

How much of a premium/discount should we place on long-term or short-term harms/benefits?

Long-term

- Benefits likely to accrue over a longer period of time.
- Maximises the options available for future generations to choose the course they want to take.
- Can have a cumulative effect where one long-term policy is required to enable other beneficial policies to be done in the future.

Short-term

- Less speculative about the future, unforeseen impacts on the costs/benefits of a policy.
- People who incur the costs will get the benefits.
- Allows people greater choice to dis-continue a policy that's not working.