

# INDIVIDUAL RIGHTS: THE "NUKE WAR" OF LD DEBATE

By Shane C. Mecham

It is common practice for Policy and Lincoln-Douglas debaters to each have a little fun at the other's expense. A typical LD criticism of CX debate is that, "everything leads to nuke war." While there are many far-fetched nuclear war scenarios floating around Policy debate, "those who live in glass houses should not throw stones." Lincoln-Douglas debaters are just as eager to link anything and everything to individual rights as CX debaters are chomping at the bit over nuclear war.

## Fault

A contemporary fault in LD debate is the often times unwarranted focus on individual rights. In the final round at the 1997 Tournament of Champions the eventual victor retorted during cross-examination that, "we are all in LD la la land where we value individual rights more than anything." This statement is funny only because it is true. It seems that the default yardstick in Lincoln-Douglas debate has become individual rights. Whoever better upholds this virtue of virtues necessarily wins the round. Moreover, even when an alternate standard is argued (e.g. security, communitarianism, or environmental ethic) the presumption for individual rights stands, even if argued in an inferior manner. Even if not argued the assumption stands in its impregnable ivory tower-removed from discussion and consideration. I am not saying that individual rights are bad, or should not be discussed. Quite the opposite, the reason that this assumption is harmful is because it removes individual rights from serious discussion and criticism. In the same way that Policy debaters do not have to explain to the judge why nuke war is bad, LD debaters are no longer required to explain why individual rights are good. While such explanation may be unnecessary on an objective level, it is imperative on the comparative plane of debate. It may be extraneous for Lincoln-Douglas debaters to explain why individual rights are good in and of themselves, but they should have to explain why such rights are better than some other evaluative term.

## Harms

Without such explanation Lincoln-Douglas debate suffers four harms. First of all, discussion is limited. LD is already dominated by western philosophy. Very rarely do we see any eastern philosophy used as justification. One reason for this phenomena may be that eastern philosophy, in most cases, is not concerned with individual rights. Many other legitimate philosophies fall into this non-individual rights category: communitarianism, communism, environmental philosophies, many religious philosophies, and Benthamite Utilitarianism. In fact, Jeremy Bentham referred to natural rights as "nonsense on stilts." A default focus on individual rights precludes any serious consideration of these philosophies in their true forms.

Second, philosophies are misrepresented. Many philosophy majors would argue that trying to discuss deontology in twenty seconds necessarily warps it anyway, but keying on rights only adds to the problem. When backed into a corner, many Lincoln-Douglas debaters find themselves arguing that communitarianism, for example, better protects individual rights than does classical liberalism. While in some cases this may be true; it is a misrepresentation of the original intent of the philosophy.

Third, the justification of individual rights becomes atrophied. If it is assumed that individual rights are the alpha and the omega of LD debate, then no one ever has to prove it. John Stuart Mill taught us that the "clearer perception and livelier impression of truth" is produced by its "collision with error." When removed from discussion by assumption, the justification of individual rights becomes dilapidated.

Fourth, debate becomes ridiculous. LDers are quick to point out how silly Policy debate can become when it is removed from serious consideration of viable policy options, and turns into two teams racing to nuclear holocaust. Lincoln-Douglas debate faces the same dilemma. An unnecessary focus on individual rights could transform

our activity from a consideration of moral obligation and philosophy into a race to rights violations, despotism, and Nazism. While some topics may warrant discussion of such issues, many do not. A discussion of individual rights in some resolutions is like the Sputnik in my living room. It is well designed, but it just does not belong there.

## Remedies

There are three courses that may help to alleviate this dilemma. First of all, we should not give rights default status. Doing so limits the scope of debate, and is an injustice to individual rights, which deserve to be discussed rather than assumed. We should be more *tabula rasa* in our consideration of standards. If a debater successfully argues socialism as the standard, then that is the one we should use.

Second, we should not be so quick to link everything to individual rights. Some topics, or sides of topics, do not lend themselves to rights justifications. Let us not shove the square peg through the round hole. We should talk about rights when they are applicable, and not discuss rights when they are not applicable. This mindset will help to preserve a wide base for discussion in the activity.

Third, we should be willing to weigh rights. Etzioni, Rawls, and many other philosophers are willing to compromise the rights of one for the good of the whole. If one debater wins individual rights and the other wins national security - for example - the debate is far from over. We should listen to who better justifies their position relative to their opponent's position. To give presumption to individual rights, and not hear that debate would be a great injustice to LD. If taken to heart, these three remedies could bring us back onto an even keel when considering individual rights.

LD is not necessarily a discussion of individual rights; in the same way that CX is not necessarily a discussion of nuke war.

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