

Lincoln-Douglas Debate Lesson Plans

5 Day Curriculum

See appendix for materials highlighted in green

Day 1 Lesson Plan

Icebreaker/Introduction (5 minutes)

What is LD? (5 minutes)

- Does anyone know anything about Abraham Lincoln and Stephen Douglas?
 - Gets its name from the debates between Abraham Lincoln and Stephen Douglas. about the state's rights over slavery. Lincoln was for completely abolishing slavery in all states and Douglas was for giving each state the right to choose.
- What is Lincoln-Douglas Debate?
 - In LD, debaters take sides to debate bad vs. good, right vs. wrong, just vs. unjust.
 - The focus is to reach the conclusion that is the most moral.
 - Examples of previous NSDA resolutions:
 - Inaction in the face of injustice makes individuals morally culpable.
 - Just governments ought to ensure food security for their citizens.
 - Just governments ought to require that employers pay a living wage.
 - The US ought to promote democracy in the Middle East.

Lesson: Value Structure (~20 min)

- 1) Ask a question (ex: What is the best type of dessert?) and will record students' answers on the board
- 2) Ask class how we could decide between the various responses ("methods of deciding" may include "the one with the most chocolate", "the sweetest one", "the healthiest one", "the biggest")
- 3) Ask students to use one "method of deciding" to rank the desserts
- 4) Notes: These "methods of deciding" are weighing mechanisms/ways, known as value criteria in debate, to narrow the scope of a question. The value criterion is used to compare the importance of different arguments within a round, just like we were comparing the importance of the different desserts. Provide common examples ("greatest good for the greatest number"; utilitarianism)
 - In a debate round:
 - One value criterion is chosen by each debater

- The value criterion is used to 1) control the scope of arguments in the round 2) give the judge a way to judge the round

5) Introduce concept of the value (a more abstract concept like morality/justice that can be achieved by achieving the value criterion, which is less abstract)

Lesson: What is an argument? (~30 min)

1) Sample topic introduced (Resolved: Chocolate cake is a better dessert than banana bread.)

2) Introduce claim (a statement summarizing the argument), warrant (at least one piece of evidence proving the claim), impact (Analysis of the claim & evidence explaining how it fulfills the value criterion)

3) Class is divided into groups of 3-4; each group is assigned aff or neg & brainstorms 3 arguments with claim, warrant (made-up), impact structure

- Volunteers guide

4) Aff & Neg choose their three strongest arguments

5) As a class, representatives from each group shares top three arguments

6) Ask questions to help further develop the arguments (into a claim, warrant, impact structure)

[write these arguments down on the board]

7) Draw out the value structure pyramid (at the top is the value, at the middle is the value criterion, and at the bottom are the arguments. Explain that in an LD round, each debater tries to achieve his/her value by maximizing their value criterion through their arguments)

8) Explain the contentions & tagline. Read out **example contentions** with their value/value criterion pairings and have students take notes. Have the students identify each part of each contention.

Lesson 8: Case Structure (25 minutes)

1) Go over **case structure** and **example cases**

Lesson 10: Round Structure (15 minutes)

1) Briefly go over **round structure**

10-15 minute snack break

Lesson 3: Refutation (Part 60 minutes)

8) Brainstorm with the class different ways to attack the claim, warrant, and impact

9) Provide notes (if time permits & in this order):

- Defensive arguments: Proving opponent's contention to be wrong (target flawed evidence/analysis, the link to the vc, & any logical fallacies)
- Turns (offensive rebuttal arguments): Proving that the impact of your opponent's position actually works in your favor
 - There are many different formats for a turn, but here are two common ones:
 - the affirmative claims X is a good thing that happens in the affirmative world; the negative concedes X happens in the affirmative world but argues that X is bad.
 - the affirmative says X is bad; the negative concedes that X is bad and argues that the affirmative actually causes X to occur.
- Logical Fallacies:
 - Correlation vs Causation (98% of teens and 15% of adults swim in the morning, more teens get into car crashes than adults; does not mean that swimming in the morning causes car crashes)
 - Hasty/broad generalization
 - False dilemma/either-or (<https://www.youtube.com/watch?v=5tW-wqW18rY>)
 - Slippery slope (<https://www.youtube.com/watch?v=kIv3m2gMgUU>)
 - In small groups, come up with one example of each fallacy
- "Non-unique": Proving that the problem cited by the original argument will inevitably occur and therefore neither side can uniquely claim an advantage of solving this problem.
- Weighing arguments: probability, magnitude, timeframe

10) Have each group brainstorm (with volunteers) several rebuttal arguments for each of the 3 dessert arguments from the opposing side

11) Reconvene as a class

12) Explain how to sign-post:

- In response to my opponent's second contention discussing ____, (insert rebuttal).

13) Share the rebuttals.

14) Have class read through the example contentions and try to come up with rebuttals
(transition to actual topics)

Lesson: Introduction to real topic (30 minutes)

Resolved: The United States ought to prohibit the production of nuclear power.

- 1) Personal opinions?
- 2) Define key words
- 3) Identify the "actor" and "action"
- 4) Any other observations?
- 5) Pre-reading argument brainstorm

Day 2 Lesson Plan

Warm-up: Question Game (10 minutes)

- “A conversation of questions”
- The person who is the third in a row to repeat the same question structure automatically loses
- The first person to say anything other than a question loses

Lesson: Topic analysis continued (30 minutes)

Lesson: Basic research methods (filler)

1. Discuss research strategies: coming up with a list of keywords (searching & control F), reading abstracts, visiting sources from bibliographies, "first four/last four" method, skimming (rarely ever should you read entire articles), on topic titles, google scholar
 - Come up with a list of keywords
 - What makes an article reliable/not reliable (extreme bias & author credibility)
2. **Article on background info** (printed hand out) handed out to each group: students should ask volunteers for help understanding the articles. After ten minutes, the class will reconvene.
3. Post-reading discussion
 - Students in each group present the positions offered in their articles
 - Make sure you understand all of these positions
4. Outline an Aff case and a Neg case (can be changed later)
 - V, VC, contentions

Lesson: Evidence (30 minutes)

1) Cutting cards & citations (**Card cutting guide**)

- You don't have to quote complete sentences, but do not twist/represent the evidence in an inaccurate manner
- Be careful & accurate when coming up with taglines!!
- Always save the original article
- We use cards for the warrant of contentions and sometimes for rebuttals

2) Have each student return to one of the **background information articles** and choose a good paragraph to cut. Then have them cut it. (5-10 minutes)

3) **Mini-Lesson:** Vocal variation (10 minutes)

- Who did a speech event last year? What events?
- Speech is very important for debate; often, you can really stand-out if you are a fluent and effective speaker.
- What do you need to do as you speak to be a good speaker? (vocal variation, projection, pace, fidgeting)
- Have students individually circle the important words/phrases to emphasis on the cards that they just “cut”. Then, have the students practice reading out the cards in smaller groups standing up.

15-20 minute break outside (copy flow sheets onto the board and the topic & definitions)

Lesson: Flowing (1 hour 15 minutes)

- Hand out the **flowsheets**
- **Flowing explained**, tips/advice: 2 pieces of paper, 2 different color pens, vertical
- Before you being a debate round, you must “pre-flow” the side you are on
- An LD nationals round is shown (Resolved: The United States ought to prioritize the pursuit of **national** security objectives above the digital privacy of its citizens.) and the students flow
 - In between speeches, we will discuss & answer questions about flowing:
 - What did you like/dislike? (presentation/argument)
 - What is important for the competitor to do in the next speech?
 - Quiz on flows
 - Where we will be flowing next

Lesson: Cross-Examination (10 minutes)

1) How did the Nationalist finalists use Cross-Ex? Other ways that Cross-Ex can be used?

2) Perceptual dominance: good posture, no fidgeting, eye contact with judge, clear concise answers, staying calm & confident

3) Be careful not to:

- Bring your rebuttals into the cross-ex (just set up rebuttals)
- Ask too many clarification questions

4) Tips:

- Pre-write questions
- Get concessions (refer back to cross-examination during subsequent speeches)
- Use a line of questioning

Lesson: Crystallization (10 minutes)

1) Crystallization points (also known as voting issues):

- a) Summaries of the main points of the round that the judge can use as a reason to choose you as the winner (writing the ballot for the judge).
- b) Bring up 3 voting issues (30-45 seconds each; save ~2 minutes in the 2NR and the 2AR for these)
- c) Make sure they are offense & args that you are winning

2) Ask students to pay attention to what else the Aff debater does for each voting issue besides saying “my first voting issue is this”. Then, watch 2AR of the 2014 national finals.

3) Class discussion

Suggested format for voting issues:

- 1) Identify the voting issue with a short label
- 2) Explain where/how you are winning the arg (reference a specific part of the flow) & why the opponent is not (can use weighing here)
- 3) Explain how the argument links to the value criterion (just like the impact)

Wrap-up: Who do you think won the round we watched?

Day 3

Warm-up: Fun facts

- About how many nuclear power plants exist worldwide? There are roughly 449 nuclear power plants worldwide.
- How long did it take to clean up the Three Mile Island accident? 14 years to clean up.
- What should you do if ever exposed to radiation during a nuclear disaster? Remove their clothing because 90% of the radiation will be located there.
- What was the first country to generate electricity from nuclear power? The former Soviet Union
- From where will you receive more radiation than from a nuclear power plant throughout your life? Personal electronics

Lesson: Informal argument generation/ speaking practice (25 minutes)

- 1) Each student has 3 minutes to prepare a 3 minute speech (3 args) on either side of np topic (using case outline)
- 2) Volunteers time as the students give their speeches to their table groups
- 3) We won't be reading cards for warrants, so explain the logic of the argument. When you explain the logic of the argument (instead of using a piece of evidence), you are making an analytical argument. Most rebuttals are analytical.
- 4) Everyone is going to make this speech twice
- 5) This activity is good for multiple reasons:
 - a) It's good to get comfortable with speaking about the topic
 - b) Practice on fluency, enunciation, projection, posture, etc.
 - c) Sense of time (3 minutes is the shortest speech of the round)
- 6) What was the easiest part of the activity?
- 7) What was the hardest part?

Mini Lesson: Offensive and Defensive arguments

- 1) Do any of you play a soccer, lacrosse, hockey, basketball?
- 2) Call on someone: "What is the difference between defense and offense?"

3) “Do we want to use defensive args or offensive args in our cases?”

Lesson: Case Writing (1 hour) Aim to be done with 1 case rough draft

- Students should find evidence for their warrants
- Students get AFF/NEG outline reviewed/approved by a volunteer. Outlines consist of: V, VC (and framework justifications), definitions, observations, contention taglines, try to find as many cards for warrants as possible
- Then, proceed with case writing

15 minute break outside

Lesson: Rebuttals (30 Minutes)

1. Read **Rebuttal practice arguments**
2. Come up with some rebuttals as a group for two arguments A) Nuclear power should be banned due to the risk of a meltdown B) Nuclear power is needed to stop global warming
3. Speaking activity:
 - Break into smaller groups
 - Pretend your opponent has used one of the arguments above
 - Sign-post, briefly summarize the opponent’s argument (1 or 2 words), and refute it (with analytics)
 - Have the volunteers time each rebuttal (for the AR you typically have 5 args to refute & defend within 4 minutes: roughly 50 seconds per arg) and give comments

Lesson: How to respond to rebuttals (**5 Minutes**)

- Do not just restate your claim
- Check if the response is relevant not only to your claim, but also to the warrant
 - Most often, the rebuttal ignores an important part of your evidence, so re-read portions of your original card to point out your opponent’s misunderstanding
- If evidence is used, you can attack it

- If weighing: weigh on the same scale (or a different scale: magnitude, probability, timescale) and explain why your argument is better
- Strategy: grouping arguments

Continued research, case writing, and rebuttal generation **(to end of session)**

-2 minutes before the end of class: HW: 1) Continue to work on cases and blocks. Additional cards will be placed in the shared folder, but cut your own as well. 2) Bring laptops/tablets again tomorrow

Day 4 Lesson Plan

Warm-up: 20 questions game! Segway into cross-examination **(10-15 minutes)**

Cross-Ex Activity:

- 1) Read case
- 2) Give example leads:
 - a) Aff must provide alternate or assumption is coal
 - b) NP in the Neg world does not have to dominate, it must merely be proved important in some cases
 - c) Terrorism claim based on fear (not necessarily supported)
- 3) Student comes up to cross-ex
- 4) Write out objective on the board
- 5) See if student can get concession in a minute

Mini-Lesson: Questions

- Hand-out index cards
- Have each student write 1-3 questions about anything relevant to what we've done so far (you don't need to write your name)
- Pass-in, I'll read them & answer them

Lesson: Case Writing (remind students to time their cases), Rebuttal generation

Remember to use the evidence sent out as well as evidence that you find on your own!

Volunteers guide

End 5 minutes before

Homework (have all students write this down): Students must be prepared for 2 rounds tomorrow (one AFF & one NEG) 1) Finish case 2) Finish blocks 3) Print out case(s) to bring into Friday class 4) Print-out/bring laptop or tablet for blocks 6) PRE-FLOW (1 neg, 1 aff) & set up/print-out other flow sheets w/ columns 6) kitchen timer or phone to time 7) two different color pens

Day 5 Lesson Plan

Warm up: 20 Questions or the question game (student's choice)? (15 minutes)

Lesson: Extensions

- 1) In the 2014 National LD Debate Tournament round that we watched, the AFF told the judges that the NEG dropped one of his arguments. Can someone remind us of what it means to “drop” and argument?
- 2) Not only can you drop your opponent's arguments, but you can also drop your own arguments if you do not extend them throughout every speech.
- 3) To extend an argument or a refutation, you must elaborate on the analysis of your evidence or bring in new evidence and reasoning to further demonstrate your point.

Round Etiquette:

- Before you start your speech:
 - “As a brief off-time roadmap, first I will refute my opponent's case and then I will defend my case”
 - “Is everyone (judge, opponent) ready?”
- During the speech:
 - Sign-post (letting the judge & opponent know where you are on the flow) throughout the speech
 - Refutations
 - when you move on from attacking your opponent's args to defending your own
- During cross-ex:
 - Always be polite, but you can also interrupt if opponent is talking for unreasonable amounts of time
 - Make the judge want you to be their child!

Cross-Applying: As long as it is responsive, you can use a contention from your case to refute one of your opponent's contentions (in order to be truly effective, you must also explain why your evidence is better or explain the logic behind why). This is called cross-applying

Review: In table groups, each volunteer checks the pre-flows and answers last-minute questions (15 minutes)

Debate rounds! When scheduling debate rounds, leave at least 1 hour 15 minutes per round, even though one LD round goes on for 40 minutes. This provides sufficient time for comments from the volunteers who watch the rounds. Example schedule:

- We'll be doing stop-and-go debate rounds today; this means that the judge will stop & give comments in between speeches. Aim to finish Round 1 at 10:45.
 - Notes to volunteers: Take your time giving comments, but keep an eye on the clock.
- 9:30 - 10:45| Round 1 stop-and-go (1 hour 15 minutes)
- 10:45 - 11:15| 30 minute break. If you have any questions, ask me or a volunteer now.
- Round 2 will also be stop-and-go. Aim to finish Round 2 at 12:30.
- 11:15 - 12:30| Round 2 stop-and-go (1 hour 15 minutes)

Appendix

Example Contentions

1. I affirm, Resolved: The United States ought to promote democracy in the Middle East.

Value: Morality

Value Criterion: Maximizing well-being

Democratic governments use tremendously less violence against their own people than authoritarian and totalitarian regimes.

Lynn-Jones points out that:

Second, America should spread liberal democracy because the citizens of liberal democracies are less likely to suffer violent death in civil unrest or at the hands of their governments.²⁷ These two findings are supported by many studies, but particularly by the work of R.J. Rummel. Rummel finds that democracies-by which he means liberal democracies-between 1900 and 1987 saw only 0.14% of their populations (on average) die annually in internal violence. The corresponding figure for authoritarian regimes was 0.59% and for totalitarian regimes [was] 1.48%.²⁸ Rummel also finds that citizens of liberal democracies are far less likely to die at the hands of their governments. Totalitarian and authoritarian regimes have been responsible for the overwhelming majority of genocides and mass murders of civilians in the twentieth century.

The states that have killed millions of their citizens all have been authoritarian or totalitarian: the Soviet Union, the People's Republic of China, Nazi Germany, Nationalist China, [and] Imperial Japan, and Cambodia under the Khmer Rouge.

Democracies have virtually never massacred their own citizens on a large scale, although they have killed foreign civilians during wartime. The American and British bombing campaigns against Germany and Japan, U.S. atrocities in Vietnam, massacres of Filipinos during the guerrilla war that followed U.S. colonization of the Philippines after 1898, and French killings of Algerians during the Algerian War are some prominent examples.²⁹

The tremendous decrease in government violence towards its citizens in democracies maximizes the well-being of the public by saving thousands of lives and eliminating refugee crises.

2. I affirm, Resolved: Just governments ought to ensure food security for their citizens.

Value: Morality

Value Criterion: Maximizing well-being

Food security is achievable.

An ideal example of government action increasing food security is through Brazil and their Zero Hunger Programme. As reported by the UNFAO:

“The State of Food Insecurity in the World 2014” A combined report by the Food and Agriculture Organization of the UN, International Food for Agricultural Development, World Food Program. <http://www.fao.org/3/a-i4030e.pdf>

This edition of The State of Food Insecurity in the World reveals that Brazil achieved both the MDG target of halving the proportion of its people who suffer from hunger and the more stringent WFS target of reducing by half the absolute number of hungry people. This achievement is consistent with the overall improvement in human development and reduction in inequality that the country experienced in recent years.¹⁹ Progress towards these internationally established targets was accelerated when ending hunger was put at the centre of Brazil's political agenda.

Ensuring that all people could eat three meals a day – as former President Luis Ignacio Lula da Silva said in his inaugural address – became a presidential and **government priority in 2003 [in Brazil], with the launch of the Zero Hunger programme. Between 2000⁻⁰² and 2004⁻⁰⁶, the undernourishment rate in Brazil fell by half from 10.7 percent to below 5 percent.** Zero Hunger was the first step in translating the decision to end hunger into action, and introduced a new

approach for the country that placed food security and nutrition and social inclusion at the centre of the government's agenda, while linking macroeconomic, social and agricultural policies.

Over the years, **this approach gained momentum through strengthening of the legal framework for**

food security and nutrition; establishment of an institutional setting that facilitates cooperation and coordination among ministries and different levels of government, with clearly defined responsibilities; increased investments in areas such as family farming and social protection; and strong involvement of civil society **in the policy process,** from formulation to monitoring and from the national to the local level, **through the National Food and Nutrition Security Council (CONSEA).** The successful reduction of hunger and extreme poverty in both rural and urban areas resulted from this well-coordinated array of policies led by the government with strong engagement from civil society, rather than from any single, isolated action.

Today,

<http://www.worldhunger.org/articles/08/hrf/ananas.htm>

Research also shows a significant contribution given by the Bolsa Familia Program to the food and nutrition security of families; particularly their children. According to a study with

beneficiaries, **93% of children and 82% of the adult beneficiaries eat three or more meals a day[.]** (Silva et al 2007)

the goal of the Zero Hunger Programme.

Government-implemented food security has increased the quality of life for many populations and protected the universal human right to food. This advances my value criterion of maximizing well-being.

3. I negate, Resolved: The United States ought to guarantee the right to housing.

Value: Morality

Value Criterion: Promoting social welfare

Public housing and vouchers are counterproductive and detrimental.

Subpoint A: Public housing harms wellbeing.

President of the National Housing Institute, John Atlas, explained in 1994,

John Atlas [President of the National Housing Institute], and Peter Dreier [Professor of Public Policy at Occidental College].

"Public Housing: What Went Wrong?" *National Housing Institute*. September/October 1994.

<http://www.nhi.org/online/issues/77/pubhsg.html>.

Looking back, it is fair to blame conservatives more than liberals for these policy mistakes. Conservative and real estate industry support was paid for with legislative compromises[.] assuring

that public housing, originally designed for the working poor and young families starting out, would instead be permanent housing for the very poor. As such, **[P]ublic housing**

became more unpopular politically, leading to a cycle of government neglect and underfunding which, in turn, led to **[was ridden with] poor construction**

design, inadequate maintenance, racial segregation, stigmatization, and further concentration of the very poor.

In trying to design public housing to help the poor, the government actually amplified poverty and prevented people from improving their circumstances. Negating prevents the government from employing this harmful policy.

Subpoint B: Vouchers disincentivize recipients.

According to Brian Jacob from the American Economic Association in 2017,

Jacob, Brian. "The Effects Of Housing Assistance On Labor Supply: Evidence From A Voucher Lottery." American Economic Association. February 01, 2012. Web. February 07, 2017. <<http://www.jstor.org/stable/pdf/41408775.pdf>>.

This study estimates the effects of means-tested housing programs on labor supply using data from a randomized housing voucher wait-list lottery in Chicago.

Our estimates allow us to soundly reject the hypothesis that [H]ousing voucher[s] receipt is work enhancing, or even work neutral. We estimate that voucher receipt reduces quarterly employment rates by around 3.6 percentage points[.] (about 6 percent of the control complier mean), reduces earnings by around \$329 per quarter[.] (10 percent of the CCM), increases TANF receipt rates by around 1.6 percentage points (15 percent of the CCM), and increases receipt of any social program benefits by 6.7 percentage points[.] (12 percent of the CCM). We also find that the treatment group increases labor supply slightly during the periods before they are offered a voucher, consistent with the prediction of the life cycle labor supply model that people may shift work effort towards those periods with relatively higher wage rates (although this effect is quite small - around 0.6 percentage points, or about 1 percent of the control mean). An alternative way to think about the magnitude of our estimates is within the context of what Okun (1975) called the "leaky bucket" that society uses to transfer resources to the poor. How big is the leak? Setting aside for the moment program administration costs and deadweight losses associated with raising tax revenues, there is a difference in the voucher cost to the government (\$8,400) and the voucher's equivalent variation (\$6,860) that is the inevitable consequence of the voucher program's goal of promoting housing consumption. But vouchers also have the unintended consequence of reducing [and unintentionally reduce] annual earnings by around \$1,316[.] among program participants, around 19 percent of the value of the subsidy to voucher recipients. Using the standard for judging the size of work disincentive effects suggested by Blank (1997), eliminating the housing voucher program altogether would substantially increase the degree of material deprivation among poor families despite the fact that they would work and earn more. Indeed our IV estimates for TANF families are not inconsistent with the WtW estimates; ours are just more precisely estimated given our much larger sample.

This disincentivization is inherent within a voucher system, because a voucher is a means-tested handout. Therefore, vouchers harm long-term well-being and waste money. Negating prevents the government from expanding such an unsuccessful program.

Case Structure

Elements of an LD Case

Resolution:

At the beginning of the affirmative case, state the resolution word for word. DO NOT change the wording of the resolution depending on what side you are on. The resolution should stay the same, and say “I affirm” or “I negate” to specify which side you are arguing.

Framework: The definitions, value/value criterion, and observations are called the “framework” and can be in any order that makes sense in your case.

Definitions:

Provide definitions for key terms in the resolution. Cite your sources. (Which dictionary is it from?)

On the negative – you can agree with the affirmative side’s definitions or offer your own if you think they are not appropriate/fair for the round.

Value:

A value is an abstract (generally philosophical) idea that is your ultimate goal. Throughout the round, you want to show that your side achieves this value better than your opponent. (For example: I value Justice. Because the resolution refers to “just governments,” justice is relevant and should be used to determine who wins the round.)

Value Criterion:

The value criterion is more concrete than the abstract value. You want to show that your arguments fulfill your value criterion and therefore your value.

Notes on the Value/Value Criterion:

- Your whole case must uphold your value and value criterion.
- If you and your opponent have different value/value criteria, you can either agree to your opponent’s or explain why your value/value criterion pair is the best (one value is more important than the other, one is a prerequisite for the other, one is too vague...etc.) Either way, your arguments must uphold the established value/value criterion.

Observations (optional):

They establish ground rules for the debate or given facts that must be taken into account during the debate. If there is something you want to make clear to your opponent before the contentions, here is where you state it. (Example: My opponent cannot make x argument because y makes it invalid... The aff needs x to win because y.)

Contentions:

These are the main arguments. There are usually 2 to 4 of them.

They include:

- Tagline: A few words by which you can reference your contention throughout the round.

- Claim: Explain your argument in detail. The claim should be the expanded version of the tagline!
- Warrant: Your evidence/reasoning supporting the claim. This should include a direct quote from a reputable source. When using statistics, cite the source and know how the researcher got those statistics.
- Impact: Why does this argument matter to the judge? Connect it to how this argument impacts your value and value criterion.

Always time yourself reading your cases before going into a round. Aff cases should be six minutes long and Neg cases should be about 3 to 4 minutes long.

Example Cases

Example Aff Case

I affirm the resolution. Resolved: The United States ought to guarantee the right to housing.

I offer the following definitions:

Ought: a moral obligation (Merriam Webster)

Guarantee: an assurance that a condition will be fulfilled (Merriam Webster)

The National Law Center on Homelessness and Poverty defines **Right to Housing** as:

National Law Center on Homelessness and Poverty. "Housing Rights for All: Promoting and Defending Housing Rights in the United States," *National Law Center on Homelessness and Poverty*. https://www.nlchp.org/Human_Right_to_Housing_Manual
Housing rights involve more than the right to access shelter. Rather, they include the following indivisible, interdependent, and interrelated human rights:

- The human right to adequate housing. • **The human right to an adequate standard of living.** • The human right to access safe drinking water and sanitation. • The human right to the highest attainable standard of physical and mental health. • The human right to a safe and healthy environment. • The human right of the child to an environment appropriate for physical and mental development. • The human right to access resources, including energy for cooking, heating, and lighting. • The human right of access to basic services, schools, transportation, and employment options. • The human right to affordability in housing, such that other basic needs are not threatened or compromised. • The human right to freedom from discrimination in access to housing and related services based on sex, race, and ethnicity, or any other status. • The human right to choose one's residence, to determine where and how to live, and to freedom of movement. • The human right to freedom from arbitrary interference with one's privacy, family, or home. • The human right to security, including legal security of tenure. • The human right to equal protection of the law and judicial remedies for the redress of violations of the human right to adequate housing. • The human right to protection from forced evictions and the destruction or demolition of one's home, including in situations of military occupation, international and civil armed conflict, establishment and construction of alien settlements, population transfer, and development projects.

It is also important to note that access to adequate housing directly affects the realization of other human rights; without it, employment is difficult to secure and maintain, health is threatened, education is impeded, [and] violence is more easily perpetrated, privacy is impaired, and social relationships are frequently strained. Lack of affordable housing, in particular, places vulnerable groups in the impossible position of having to choose between the most basic of human necessities, between housing and food, between housing and health care, between housing and clothing, and the list goes on.

Because the word "ought" in the resolution implies a moral obligation, my value is Morality. My value criterion is maximizing societal welfare to improve the well being for as many people as possible.

Contention 1: The government has a moral obligation to guarantee housing.

The US National Law Center on Homelessness and Poverty states that:

Eric Tars [Senior Attorney, National Law Center on Homelessness & Poverty] "Housing as a Human Right"
http://nlihc.org/sites/default/files/2016AG_Chapter_1-6.pdf National Low Income Housing Coalition. 2016

The Government's Responsibility: **Under the human rights framework, every right creates a corresponding duty on the part of the government to respect, protect, and promote the right.** In the U.S., we value the right to a fair trial in criminal proceedings, so for those who cannot afford one, the government pays for a lawyer. Having the right to housing does not mean that the government must build a house for every person in America and give it to them free of charge. It does, however, allocate ultimate responsibility to the government for ensuring all people have access to adequate housing.

Housing is a basic human right and standard of living that should be accessible to everyone. The National Law Center continues:

Eric Tars [Senior Attorney, National Law Center on Homelessness & Poverty] "Housing as a Human Right"
http://nlihc.org/sites/default/files/2016AG_Chapter_1-6.pdf National Low Income Housing Coalition. 2016

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the government pays for a lawyer. **Having the right to housing does not mean that the government must build a house for every person in America and give it to them free of charge. It does, however, allocate ultimate responsibility to the government for ensuring all people have access to adequate housing.**

The government is the only large entity in the United States that can protect and regulate the right. Many people, including minorities, continue to face injustice **without** this guarantee. The National Law Center articulates that:

Maria Foscarinis (National Law Center on Homelessness and Poverty), Brad Paul (National Policy and Advocacy Council on Homelessness (NPACH)), Bruce Porter (Social Rights Advocacy Centre), and Andrew Scherer (Legal Services for New York City), "The Human Right to Housing: Making the Case in US Advocacy", 38 Clearinghouse Rev. 97, 2004,

https://papers.ssrn.com/sol3/papers2.cfm?abstract_id=2483410

The draft Bangkok guidelines address access to housing by considering whether adequate legislation, programs, and policies are in place to ensure equal access for groups facing systemic discrimination. The U.N. Human Rights Committee identified this as an area of concern in its review of U.S. compliance with the International Covenant on Civil and Political

Rights, as noted above. **Despite civil rights laws, vast racial and ethnic disparities in housing access**

persist. Segregation between black and white children under 18 increased by 3 percent in metropolitan areas in the 1990s and by nearly 5 percent in metropolitan areas that

were already more than 10 percent black.³² Major racial disparities in homeownership rates persist in the United States; **minority groups have**

considerably lower homeownership rates than whites. Compared to 43.6 percent of blacks, and 41.8

percent of householders of Hispanic origin, 69.2 percent of whites owned homes in 1995. Ownership rates among elderly are higher, but disparities persist: 79 percent of whites versus 64 percent for all nonwhites; 79 percent for white non-Hispanics versus 59 percent for Hispanics.³³ Disparities in housing conditions are evident: Among owners, 3.8 percent of whites live in severely or moderately deficient housing, while the rate for blacks is 22.2 percent and for Hispanics, 13.0 percent. Among renters, 7 percent of whites have severely or moderately deficient housing, compared to 24.4 percent of blacks and 17.6 percent of Hispanics.³⁴

Regardless of our ever-changing society, we ought to always be assured of a stable home. Thus, because it is the affirmative that brings about this guarantee, the Affirmative achieves the maximization of societal welfare.

Contention 2: Guaranteeing housing is net beneficial

A. Housing bring enormous benefits to the individual

One of the major population in the United States that need government assistance in housing is the homeless. Studies have shown mentally ill people who were provided with a house increased the number of times they sought help. As a result, emergency and acute hospital treatment costs decreased by **54%**. Elizabeth Montgomery PhD states:

Montgomery, Ann Elizabeth, etc. [PhD, National Center on Homelessness Among Veterans, Investigator in US Department of Veterans Affairs], "Housing First Implementation Brief" *US Department of Veterans Affairs*, Apr 2014,

<https://www.va.gov/homeless/nchav/docs/Housing-First-Implementation-brief.pdf>

Decreases in acute healthcare services led to significant reductions in healthcare costs: overall there was a 32% reduction in total direct VA healthcare costs and, specifically, the utilization of more intensive inpatient cost decreased by 54%. This suggests that **this population, who often present with trauma, difficulties**

managing chronic disease, mental illness, addictions, and deferred or delayed medical needs are engaging in ambulatory care services, which is promoting reductions in emergency and acute care.⁹ (See

Table 1.)

Clearly, providing housing is the best action to take to improve the lives of those that suffer from illness and physical health issues, and ultimately solve homelessness.

B. Providing housing creates net benefits for **society**

Housing those who need it can significantly drive down taxpayer costs. Editor Martha Hostetter reported:

Hostetter, Martha [MFA Yale University, associate editor] and Sarah Klein. "In Focus: Using Housing to Improve health and reduce costs for caring the homeless," *Commonwealth Fund*,

<http://www.commonwealthfund.org/publications/newsletters/quality-matters/2014/october-november/in-focus> pg. 3.

Altogether, there were more than 284,000 supportive housing beds across the country as of January 2013. Communities that have such programs generally pay for them through funds from the Department of Housing and Urban Development, the Substance Abuse and Mental Health Services Administration, low-income housing tax credits, and grants. And there's substantial evidence (<http://shnny.org/research-reports/research/cost-savings>) that it's a smart investment. **In one of the first studies** (<http://shnny.org/research/the-culhane-report/>) to make the business case for

supportive housing, **researchers quantified the costs of both homelessness and supportive housing for 4,679 homeless, mentally ill residents of New York City** from 1989 to 1997. **They found that such individuals cost taxpayers \$40,451 a year but that supportive housing brings these costs down by \$16,282** due to reduced use of shelters, hospitals, and prisons.

By investing in supportive housing, the city was able to cut down its investments on homeless by over **\$76 million**, and keep in mind this is just one city with a small segment of the homeless population.

This chain reaction of economic benefits brings in more revenue while simultaneously decreasing government and taxpayer expenses. Clearly, an affirmative vote maximizes societal wellbeing.

Contention 3: Current housing programs are models for success.

Countless historical examples have proven that government plans can be successfully implemented. The US National Center on Homelessness Among Veterans showed long term retention rates in their permanent housing program.

Montgomery, Ann Elizabeth, etc. [PhD, National Center on Homelessness Among Veterans, Investigator in US Department of Veterans Affairs], "Housing First Implementation Brief" *US Department of Veterans Affairs*, Apr 2014,

<https://www.va.gov/homeless/nchav/docs/Housing-First-Implementation-brief.pdf>

Of the 700 homeless Veterans admitted to HUD [Housing Urban Development] -VASH utilizing a Housing First approach, **84% (585) are still living in permanent housing**, with varying lengths of stay. **Among the 115 Veterans who have left the program, 37% (43) moved to a more independent living arrangement**; 20% (23) discharged to an institutional setting, including hospital, nursing home, or prison; 30% (34) relapsed into homeless or were lost to care; and 13% (15) died, the majority from natural causes.

Examples like these prove that housing is an effective long-term solution working to ending homelessness.

Other countries such as the United Kingdom and Netherlands demonstrate how affordable housing with government support can successfully be applied on a large scale. Hunter Johnson, CEO of LINC Housing in California, notes:

Johnson, Hunter [CEO of LINC Housing in California], "Building a Better City: Europe's Affordable Housing Standard", *National Housing Institute*, Jan/Feb 2004, <http://www.nhi.org/online/issues/133/europe.html>

Nonprofit affordable housing developers in the U.K. and the Netherlands don't have to struggle for funding; they have direct access to significant financial resources. We met one developer who has \$77 million in capital available to build projects. In the Netherlands a loan guarantee program, funded by the builders, allows developers to borrow funds from commercial

banks at low rates. Moreover, these developers don't have to submit endless and multiple funding applications. Two other major advantages that affordable housing developers in Europe have are size and strength. In the U.K. and the Netherlands, several large nonprofit housing entities own 50,000 to 70,000 dwellings; many others control more than 20,000 units. This is substantially larger than the largest comparable entity in the U.S., which owns approximately 12,000 low-income units. Because they are larger, European nonprofits are stronger and more politically connected than their U.S. counterparts. Their work usually has the blessing of both local and national governments, and consequently they face less opposition to their plans.

Other large scale projects use the Housing First method like the program used in Canada. The Mental Health Commission of Canada concludes:

Mental Health Commission of Canada. "At Home/Chez Soi Interim Report". September 2012.

In 2008 the Federal Government invested \$110 million through a funding agreement between Health Canada and the MHCC [Mental Health Commission of Canada] to support a five-year demonstration project to evaluate what services and systems best help people experiencing serious mental illness and homelessness. At Home/Chez Soi is a pragmatic field trial of a complex intervention in [Canada] the five cities of Vancouver, Winnipeg, Toronto, Montreal and Moncton. Its activities and guiding principles are aligned with the stated project goal to "implement research demonstration projects in Canadian settings that will yield policy and program relevant evidence about what service and system interventions achieve the best health and social outcomes for those who are homeless and mentally ill". (see Appendix A for Project Précis). It is the largest study of its kind in world, with 2,255 participants, 1,265 of whom were randomized to receive the Housing First intervention. There are a range of different services and supports (housing, health, justice, vocational, peer etc) that might be provided to those in the two study groups. Across all cities there is a common definition of the essentials of the Housing First intervention but treatment as usual will differ depending upon the system context. At a minimum Housing First includes access to rent subsidy and accommodation in a chosen location, as well as one visit a week by the service team. Depending upon the participant's needs and decisions, it may also broaden to include a comprehensive "basket of services and supports" tailored to the individual. They may either be provided directly by the ACT and ICM teams or through referrals to other agencies and community resources. The study found that From administrative data reported by the housing teams for all of the 13 programs in the project, we know that 932 individuals are housed in the community as of July 2012. Fifty-eight percent are still in their first unit, 28% are in their second, and 14% have moved 3 to 5 times. The finding that close to 86% of participants currently housed remain in their first or second unit they were located (as of August 2012) indicates that the attention paid to client choice and the support of the service teams have quickly created appropriate living conditions for the majority of the participants. Moves for some within the housing first program model are expected, sometimes because the unit is not suitable/ acceptable, and sometimes because things do not go well in general and a change creates an opportunity for the individual to learn from the first housing attempt and retry with support from their team.

We've seen in numerous examples that the government can successfully implement housing. These projects have driven costs down significantly, as well as house thousands of people for long periods of time. Because the affirmative is capable of **improving** the life quality for those that are homeless, I am maximizing overall societal welfare and taking a moral action.

For all these reasons, I affirm.

Example Neg Case

Although there are good intentions behind guaranteeing the right to housing, it still results in undeniable net harms in the end. Thus, I negate the resolution:

Resolved: The United States ought to guarantee the right to housing.

My value today is morality, because the word “ought” in the resolution implies a moral obligation. My value criterion is maximizing societal welfare, because negating the resolution will ultimately lead to a healthier and more moral society.

I provide the following definitions from the Merriam-Webster dictionary to clarify the round:

The word *ought* is used to express a moral obligation.

Guarantee conveys an assurance for the fulfillment of a condition.

According to the National Economic and Social Rights Initiative, the right to housing ensures access to a safe, secure, habitable, and affordable home with freedom from forced eviction, which therefore does not include homeless shelters.

Contention 1: Providing quality housing for everyone is infeasible

The government has in fact tried to implement more accessible housing before, and was only met with disappointing results, shown by Section 8 of the Housing Act of 1937.

Results of Section 8

Samuels, Alana[Journalist at The Atlantic] “How Housing Policy is Failing America’s Poor.” The Atlantic. Jun. 24, 2015.

<https://www.theatlantic.com/business/archive/2015/06/section-8-is-failing/396650/>

The result is that Section 8 traps families in the poorest neighborhoods. One study in Austin found that there were plenty of apartments around the city that voucher-holders could afford. But only a small portion of those apartments would rent to voucher-holders. **The report, by the Austin Tenant’s Council, found that 78,217 units in the Austin metro area—about 56 percent of those surveyed—had rents within the Fair Market Rent limits. But only 8,590 of those units accepted vouchers and did not have minimum income requirements for tenants. Most were located on the east side of Austin, in high-poverty areas with underperforming schools and high crime rates.** (The survey only looked at apartment complexes with at least 50 units.)“Families don’t have very many choices as to where they

can actually use the voucher,” said Nekesha Phoenix, the Fair Housing Program Director at the Austin Tenants’ Council. “Although there are properties north and west that they could actually afford to live in, they can’t do it because the properties won’t take the voucher.”The purple and red dots represent apartments in Austin that cost Fair Market Rent or less. Red dots represent the apartments that would accept Section 8 vouchers. Austin’s west side, which is wealthier and has better schools, is close to devoid of options for voucher-holders. (Austin Tenants Council)Some cities have tried to prevent this. Last year Austin passed a “Source of Income” ordinance that prohibited landlords from refusing to rent to people solely because they have a voucher. And 12 states, as well as the cities of Los Angeles, San Francisco, Washington D.C., Chicago, and Philadelphia have all done the same. The result is that voucher-holders are pushed farther out from a city’s core, and into buildings that are dilapidated and have multiple code violations: **In 2012, city enforcement officers ordered an**

apartment complex in Austin evacuated after a second-floor walkway sagged and then collapsed. Officials blamed termite damage, and said the low-income and Section 8 voucher-holders were hesitant to report unsafe conditions because they knew how hard it was to find an affordable place to live and didn’t want to be evicted.

The failure of this program was not due to incorrect implementation. This failure, and the repeated failures surrounding it, were due to the fact that housing programs are intrinsically flawed.

Housing programs intrinsically flawed

Husock, Howard [Vice president for research and publications at the Manhattan Institute; director of the Institute's social entrepreneurship initiative]. "We Don't Need Subsidized Housing" *City Journal*. Winter 1997.

<https://www.city-journal.org/html/we-don%E2%80%99t-need-subsidized-housing-11954.html>.

But maybe the whole idea is wrong. Maybe [O]ur **housing programs haven't failed because of some minor management problem but because they are flawed at the core.** The truth is, **devoting government resources to subsidized housing for the poor**—whether in the form of public housing or even housing vouchers—**is not just unnecessary but also counterproductive. It not only derails what the private market can do on its own, but more significantly, it** has profoundly destructive unintended consequences. For housing subsidies **undermine[s] the efforts of those poor families who work and sacrifice to advance their lot in life[.]**—

As proven, efforts to guarantee the right to housing have only ended in failure, billions of dollars lost, and countless areas with high crime rates, due to hundreds of impoverished and desperate people grouped into slums. All of these factors obviously contradict the value of morality, and by negating the resolution we can move away from this failed attempt and focus on a better solution.

Contention 2: Providing housing does not address the root cause of the problem

Mental illness as a cause of homelessness

Weinberger, Daniel [Stanford University]. "The Causes of Homelessness in America." *Ethics of Development in a Global Environment*. July 26, 1999. https://web.stanford.edu/class/e297c/poverty_prejudice/soc_sec/hcauses.htm.

Next, some suggest that mental illness among individuals has effected the rise in the number of homeless people in America. Clearly, the structural problems created by de-institutionalization and similar policies throughout the 1980s are at the root of this assessment. As Jencks notes, the mental health policies of limiting involuntary commitment and allowing state hospitals to discharge

patients with nowhere to go were a complete disaster. Indeed, [I]n 1987, **100,000 working-age Americans [had] with mental**

problems so severe that they could not hold a job [and] were homeless. ³⁷ On an individual basis, however, there

is some merit to this claim. **Clinicians who examine the homeless today "usually conclude that about a**

third have 'severe' mental disorders." ³⁸ People with these types of disorders may break off contact with the mental health system and friends and

relatives who helped them deal with public agencies. In addition, **[T]hey are usually incapable of finding work, receiving their**

social benefits, and generally dealing with the myriad of complex issues that are thrown up

by homelessness. As a result, the argument goes, while structural forces may have thrown mental patients into the streets, their mental illness certainly contributed to the rise of homelessness in the 1980s by keeping them permanently bound there.

Drug abuse as a cause of homelessness

Weinberger, Daniel [Stanford University]. "The Causes of Homelessness in America." *Ethics of Development in a Global Environment*. July 26, 1999. https://web.stanford.edu/class/e297c/poverty_prejudice/soc_sec/hcauses.htm.

First, while alcohol abuse has existed in American society throughout the twentieth century, the argument suggests that **[T]ransformations in the illicit drug market** in the 1980s qualitatively **altered the impact substance abuse has had on the lives of the**

poor. The arrival of crack in the mid-1980s offered poor people a cheap alternative to alcohol, "making the pleasures of cocaine available to people who had very little cash and were likely to spend it on the first high they could afford."³⁴ Indeed, **Jencks estimates that by 1991, around 30% of all homeless single adults used crack regularly.**³⁵ The relationship of crack (and heavy drugs more generally) to homelessness is two-fold. **First, homelessness may lead to crack and drug addiction** because "big-city shelters are full of crack, and so are many of the public places where the homeless gather." **Second, however, heavy drug and crack use can conversely cause homelessness directly by making "marginally employable adults even less employable, eating up money that would otherwise be available to pay rent** and making their friends and relatives less willing to shelter them."³⁶ Moreover, drug addiction and crack use helps keep the homeless on the streets, as the drugs increasingly consume most of their disposable income. Drug use, however, is in most ways a personal decision. Therefore, many people feel that the homeless who do abuse alcohol and drugs are largely responsible for their own predicament.

These two huge causes of homelessness are never addressed in the affirmative world. What we need to do, and what would maximize the value criterion of societal welfare, is that instead of wasting money and funding housing, we work towards providing health care and education to directly address the root cause, and assist these homeless but also future generations.

Contention 3: Better alternatives to housing do exist

What we should be looking for, and what we can afford, is a short-term solution, not a long term one. In a moral and healthy society, people work hard to reach their goals. However,

Free housing changes incentives

Government-guaranteed benefits reduce quality of goods and services Leef 1997 [George, director of research at the John W. Pope Center for Higher Education], "Entitlements Versus Investments: A Parable", Foundation for Economic Education, October 1 1997
<https://fee.org/articles/entitlements-versus-investments-a-parable/>

Turning housing into a "free" entitlement necessarily changes the incentives of people. If you can get what you want through politics, people behave differently than if, to get what you want, you have to contract or cooperate with individuals who are free to say no. For that reason, consumers will always get better housing—or any other good or service—when they are investing their own money in it as opposed to accepting it as an entitlement that has been **shaped by others.**

Homeless shelters are temporary, cheaper ways to reduce homelessness, where the people will still have access to education or jobs. A society in which people find that they are capable of supporting themselves, instead of being supported, both maximizes societal welfare and upholds morality.

For all these reasons, I strongly urge a negative vote.

Round Structure

Keep this paper and take notes on it as we go over each of the speeches in depth at future meetings.

Affirmative Constructive - AC (6 min)

Affirmative side reads their case.

Cross Ex - CX (3 min)

Negative cross examines affirmative case. Point out flaws in opponent's arguments or ask clarification questions.

Negative Constructive - NC (7 min)

Negative reads their case and also refutes arguments in the affirmative case. This speech is only 1 minute more than the AC and split between case reading and refutation, so the negative case should be shorter than the affirmative case (about 3:30-4 minutes).

Cross Ex - CX (3 min)

Affirmative cross examines Negative case. Point out flaws in opponent's case or ask clarification questions.

Affirmative Rebuttal - AR (4 min)

The affirmatives refutes arguments in the negative case and then defends the affirmative case.

Negative Rebuttal - NR (6 min)

The negative defends its own case and refutes the affirmative side's arguments.

At the end of this speech, include voting issues: a summary of the main reasons why the judge should vote for the negative side.

2nd Affirmative Rebuttal - 2AR (3 min)

The affirmative defends their own arguments and then refutes the negative's. During this speech, you should focus on the voting issues in the debate, since you don't have much time.

Preparation time

Throughout the round, each debater has 3 minutes of prep time total. You will have 2 chances to use prep time: once before your first chance to refute your opponent's arguments (NC, AR), and once before your last speech (NR, 2AR).

Background Information Articles

Parsapoor, Alireza et al. "Autonomy of Children and Adolescents in Consent to Treatment: Ethical, Jurisprudential and Legal Considerations." *Iranian Journal of Pediatrics* 24.3 (2014): 241–248. Print.

In order to exercise patients' autonomy and preserve their integrity throughout a particular course of treatment, they need to possess the appropriate capability and decisional capacity[6]. In the ethical approach, decision-making capacity is a relative matter and by no means a black and white situation. A patient's decision-making capacity can only be assessed in light of his or her specific condition, including the nature and degree of potential risks[7]. Assessment of decision-making capacity is influenced by the challenge between the right to autonomy on the part of the patient and principles of beneficence and non-maleficence on the part of the physician[8]. In cases of disagreement or where the patient is not cooperating properly in the assessment process of his or her decision-making capacity, it is recommended to seek help from experts such as psychiatrists, or consultation from hospital ethics committees[9,10].

In the interaction between physician and patient, if the patient is a child and therefore not completely autonomous in making medical decisions, it is notwithstanding the physician's duty to give the patient the opportunity to participate in the process in a manner appropriate to his or her capacity[11]. There have been numerous recommendations regarding the issue of pediatric patients' participation in medical decision-making in different countries [12-14].

Naturally, in circumstances where a pediatric patient lacks the capacity required to make a particular medical decision, it appears only logical to assign the parents the right to make medical decisions, as they are responsible for raising and maintaining their children and such responsibility entails the right to make decisions for them. On the other hand, parents' love for their children, the responsibility they feel for their children's life and future, and their sensitivity to their best interests, makes them the best surrogates for recognizing the pediatric patients' best interests[15].

Hartman, Rhonda Gay (2001) "Adolescent Decisional Autonomy for Medical Care: Physician Perceptions and Practices," *The University of Chicago Law School Roundtable*: Vol. 8: Iss. 1, Article 5. Available at: <http://chicagounbound.uchicago.edu/roundtable/vol8/iss1/5>

Most states reverse the presumption by statute in certain cases and permit adolescent decision making for medical care in the event of emergency, 8 emancipation, 19 sexually transmitted disease 20 drug or alcohol dependency, 21 mental health treatment, 22 contraception, 3 and pregnancy. 24 These exceptions, of course, resonate with multiple competing values and social norms. For example, the STD exception furthers policy concerns of preventing endangerment to the health and welfare of adolescents and other persons potentially affected by an adolescent's disease. Adolescents may consent to medical treatment for an STD without parental or guardian consent because obtaining adult consent may deter an adolescent from seeking treatment. If society deems an adolescent capable of consenting to some forms of medical treatment, such as for an STD, should that same adolescent be presumed capable of providing consent to other forms of treatment? If the STD condition results in a more serious diagnosis, should the attending physician allow the adolescent to decide her own treatment under the aegis of the STD exception? Or should the physician revert to the general rule of presumptive decisional incapacity for adolescent patients and require the consent of a parent or guardian, despite the

risk that the adolescent patient may not return for care due to the deterrent of parental consent? These are significant questions that remain unanswered.

Black, Lee, [J.D., LLM], "Health law: Limiting parents' rights in medical decision making," *American Medical Association Journal of Ethics*, Vol. 8, October, 2006.

The law's inquiry into parental competence to provide medical care for a child does not stop at assessing their physical and mental ability to do so; it also examines their willingness to make medically appropriate decisions. The decision of a physically and mentally competent parent to pursue a particular path of treatment may, for example, not accord with the best interests of the child[,] particularly if a child is not of an age where he or she can contribute to the process. Parents have a legal obligation to refrain from actions that may harm their child. Medical decision making, though, has a certain ambiguity—when does a particular choice indicate that the parent is unable to decide on appropriate care? Religious objections to treatment have a long history of acceptance and, while not absolute, can at times be codified into law [1]. Objections motivated by other beliefs may not receive the same protections and may cause parental objection to specific treatment to be overturned by a court or other authority with more ease than objections based on religious beliefs.

Blustein, Jeffrey [Professor of Bioethics and Philosophy], Levine, Carol [BA from Cornell University, MA from Columbia University], Dubler, Nancy [Professor of Bioethics]. "The Adolescent Alone: Decision Making in Health Care in the United States." Cambridge University Press. 1999. <http://catdir.loc.gov/catdir/samples/cam032/98048330.pdf>.

But the paradigm [(the current system of the parents making medical decisions for a child)] has clear limits. First, it is best suited to infants and young children, not adolescents. In general, adolescents have achieved a degree of intellectual and emotional maturity that surpasses that of young children, yet they are not fully adult. Another limitation, now recognized in state statutes, is that adolescents need some medical services, such as treatment for sexually transmitted diseases, for which parental consent or even notification may present serious barriers. The most important limitation, in terms of the population addressed in this volume, is that the model assumes the presence of at least one parent who has a stable, nurturing, and supportive relationship with the child. The lack of such a parent or other adult is precisely what makes these adolescents alone.

Elizabeth S. Scott (School of Law, University of Virginia), N. Dickon Reppucci (Department of Psychology, University of Virginia), Jennifer L. Woolard (Department of Psychology, University of Virginia). "Evaluating Adolescent Decision Making in Legal Contexts." *Law and Human Behavior*, Vol. 19, No. 3 (Jun., 1995), pp. 221-244. <http://www.jstor.org/stable/1394002>

The second argument for considering judgment hinges on an important distinction that can be drawn between the poor choices made by individuals and those that the law presumes are made by minors as a group. The adult's "poor" decision (to refuse recommended treatment, for example) is presumed to reflect the subjective values and preferences of the individual. In the case of the adolescent refusing treatment, the values and preferences are presumed to reflect common age-linked developmental characteristics that predictably will change. It is assumed that with maturity, most individuals will make a different choice. If this is so, then the autonomy claim seems less compelling than is that of adults. Moreover, implicit in the presumption that

developmental factors affect judgment is a prediction (or hope, in the case of delinquent behavior) that the adolescent will become an adult with different values and preferences from her youthful self. If this is so, then [T]he case for protecting the opportunities and prospects of that future adult from the costs of her immature youthful judgment and choices seems powerful (Scott, 1990).

Scott, Elizabeth S. [Professor of Law], Dickon Reppucci, and Jennifer L. Woolard. "Evaluating Adolescent Decision Making in Legal Contexts." *Springer*. Vol. 19, No. 3. June 1995. <http://www.jstor.org/stable/1394002>. p. 231

Some differences have been demonstrated in other components of risk perception and attitudes. Compared to adults, adolescents appear to focus less on protection against losses than on opportunities for gains in making choices (Furby & Beyth-Marom, 1990; Gardner et al., 1991). Adolescents appear to weigh the negative consequences of not engaging in risky behaviors more heavily than adults, although overall response patterns of adults and adolescents were quite similar (Beyth-Marom, Austin, Fischhoff, Palmgren, & Quadrel, 1992). Differences in risk perception have also been observed. Research suggests that perception of risks increases through adolescence (perhaps with increased experience). Adolescents may sometimes be unaware of risks that adults perceive or they may calculate differently the probability or magnitude of a given risk[.] (Furby & Beyth-Marom, 1990; Kulbok, Earls & Montgomery, 1988; Lewis, 1981; Phelps, 1987). For example, adolescents may be less willing than adults to risk disfiguring side effects of a medical treatment regimen due to concerns about body image and peer approval, but they may be more willing than adults to engage in behaviors such as bungee jumping. Attitude toward risk is closely linked to differences in temporal perspective (Cottle, 1969; Greene, 1986; Grisso, 1981; Monks, 1968). In general, adolescents seem to discount the future more than adults and to weigh more heavily the short-term consequences of decisions-both risks and benefits-a response that in some settings contributes to risky behavior[.] (Gardner & Herman, 1991). Gardner and Herman (1991) hypothesize that this tendency may be linked to the greater uncertainty that young people may feel about their own futures, an uncertainty that might make short-term consequences seem more salient to an evaluation of different options (Allen, Leadbeater, & Aber, 1990). It may also reflect the reality that adolescents have had less experience. It may be harder for an adolescent than for an adult to contemplate the meaning of a consequence that will be realized 10 to 15 years in the future, because such a time span is not easily made relevant to adolescent experience. Nurmi's (1991) review of the adolescent future orientation literature confirms that adolescents are most interested in major developmental tasks of late adolescence and early adulthood (i.e., career, education, marriage). Future planning skills grow more efficient with age but continue to develop at least into the early 20's.

Hill, Jessie B.[Associate Dean for Academic Affairs and Judge]. "Medical Decision Making by and on Behalf of Adolescents: Reconsidering First Principles." 2012. http://scholarlycommons.law.case.edu/faculty_publications/?utm_source=scholarlycommons.law.case.edu%2Ffaculty_publications%2F82&utm_medium=PDF&utm_campaign=PDFCoverPages p41-42.

Despite the presumption of minors' inability to consent to medical treatment, the general rule is qualified by numerous exceptions, as commentators readily acknowledge.³³ First, medical emergencies require no consent; indeed, this is true for adults as well as children.³⁴ Additionally, numerous states allow certain classes of minors who are deemed sufficiently

adult-like to consent to care as if they were adults.³⁵ This category of exception comprises emancipated-minor rules and mature-minor rules.³⁶ Emancipated minors are those that are found to be independent of their parents—such as minors who are living on their own and supporting themselves, or minors who are married or in the military.³⁷ The characteristics that make a minor emancipated are fixed by statute in some states, but the common law has also long recognized a more flexible category of emancipated minors, in which a jury or judge is entitled to determine that a minor is emancipated based on a panoply of characteristics that may indicate independence.³⁸ The mature-minor rule is similar to the common-law version of emancipation in that it generally calls for a case-by-case assessment of an individual minor's circumstances.³⁹ The mature-minor rule, however, focuses not on markers of independence but rather on the minor's capacity to give informed consent.⁴⁰ This determination, which is generally considered to be a question of fact for a jury in the tort context, requires an evaluation of a minor's ability to —appreciat[e] the nature, extent, and consequences of the conduct consented to || and to —weigh the risks and benefits. || such as —the age, ability, experience, education, training, and degree of maturity or judgment obtained by the minor, as well as upon the conduct and demeanor of the minor at the time of the incident involved. ||
41 Thus, the determination may depend on factors 42

Card Cutting Guide*

Flowsheets*

*See separate downloadable files at <http://lelandsummerdebate.org/curriculum.html>

Flowing Explained

Flowing is taking notes. The purpose of flowing is to keep track of all of the arguments, evidence, and responses during the round.

How to:

- Flowing the Aff:
 - On one side (or sheet), flow the AC in a vertical column on the left hand side of the paper.
 - NC: Flow the Neg's *responses* to the Aff case in a second vertical column to the right of the AC column. Do not flow the Neg case here.
 - AR: Flow the Aff's responses supporting the *Aff* case in a third vertical column. Do not flow the Aff's responses to attack the Neg case here.
 - NR: Flow the Neg's responses against the *Aff* case in a fourth vertical column. Do not flow the Neg's responses to defend the Neg case here.
 - 2AR: Flow the parts of 2AR that apply to the Aff case in a fifth vertical column.
- Flowing the Neg:
 - On the other side (or sheet), flow the Neg *case* in a vertical column on the left hand side of the paper. Do not flow the Neg responses to the Aff case here although they are also included in the NC speech.
 - AR: Flow the Aff's responses to the *Neg* case in a second vertical column to the right of the Neg case column. Do not flow the Aff's responses to defend the Aff case here.
 - NR: Flow the Neg's responses supporting the *Neg* case in a third vertical column. Do not flow the Neg's responses attacking the Aff case here.
 - 2AR: Flow the parts of 2AR that apply to the Neg case here in a fifth vertical column.

Regardless of whether you are affirming or negating, you must flow the aff and the neg.

What to flow when flowing a case:

- Value
- Value criterion
- definitions, observations
- The three parts of each contention: claim, warrant, impact

Tips:

- Use printer paper (white paper without lines: not lined paper)
- Use two different colors of pen; one for Neg and one for Aff

- Flow with the paper in portrait orientation (not landscape)
- Use the front and back of one piece of paper or have two separate sheets of paper.
- Always pre-flow your case before a round! Some people prefer to create multiple pre-flows for both their Aff and Neg cases before they go to a tournament.
- Use short-hand: Use symbols, exclude vowels from words, etc. Just be sure that you can understand your short-hand!

Rebuttal Practice Arguments

Because the resolution uses the word “ought,” which indicates moral obligation, my value is morality. The resolution specifies “countries” as the actor. Government is the only body that has the power to place bans within a country and so my value criterion is maximizing well-being because the purpose of government is to protect the wellbeing of its citizens.

AFF Contention 1: Nuclear power accidents

Subpoint A: Nuclear meltdowns cause widespread human and environmental devastation.

Lisa Grunlund, the Co-director of the UCS’ Global Security Program, explains:

Lisbeth Grunlund [Senior Scientist and Co-Director, Global Security Program], Union of Concerned Scientists, December 2007, Nuclear Power in a Warming World, http://www.ucsusa.org/assets/documents/global_warming/Nuclear-Power-in-a-Warming-World.pdf

An operating nuclear power plant contains a large amount of radioactive material, and an accident that results in the release of this material could cause significant harm to people and the environment. **People exposed to high levels of radiation will die or suffer other health**

consequences within days or weeks. Lower radiation levels can cause cell damage that will eventually lead to cancer, which may not appear for years or even decades. People may need to be

permanently evacuated from areas contaminated with radiation. **The costs of evacuation[,] and environmental remediation,** and those

of **[and] the loss of usable land. could** be enormous. Radioactivity released by a severe accident could lead to the death of tens of thousands of people,

injure many thousands of others, contaminate large areas of land, and **cost billions of dollars**

Not only do these horrific effects cause immense suffering, but they also have the potential to affect a huge population.

Grunlund provides the example of the nuclear meltdown at Chernobyl, which

Lisbeth Grunlund, Union of Concerned Scientists, December 2007, Nuclear Power in a Warming World,

http://www.ucsusa.org/assets/documents/global_warming/Nuclear-Power-in-a-Warming-World.pdf

The worst nuclear power accident the world has seen was the 1986 explosion and fire at the Chernobyl Unit 4 reactor in the Ukraine, and the resulting dispersal of radioactive material over western areas of the Soviet Union and much of Europe.¹⁰ The accident contaminated a region of 10,000 square kilometers (half the size of New Jersey), and required the evacuation of more than 100,000 people and the permanent relocation of 220,000 people. The accident **has resulted in roughly 4,000 cases of thyroid cancers**

in people who were children or in utero during the accident, and will cause an estimated 60,000 cancers and 40,000 cancer deaths overall.

According to Vassily Nesterenko, the former director of the Institute of Nuclear Energy in Belarus, nuclear meltdown can pollute an entire hemisphere.

YABLOKOV, ALEXEY V. NESTERENKO, VASSILY B. NESTERENKO, ALEXEY V. [environmental advisor to the Russian President Yeltsin, former director of the Institute of Nuclear Energy at the National Academy of Sciences of Belarus]. “Chernobyl Consequences of the Catastrophe for People and the Environment.” ANNALS OF THE NEW YORK ACADEMY OF SCIENCES. Volume 1181. 2009. http://www.strahlentelex.de/Yablokov_Chernobyl_book.pdf. Pg 1.

For the past 23 years it has been clear that there is a danger greater than nuclear weapons concealed within nuclear power. **Emissions from this one reactor exceeded a hundredfold the radioactive contamination of the bombs dropped on Hiroshima and Nagasaki. No citizen of any country can** be assured that he or she can **be protected from radioactive contamination. One nuclear reactor can pollute half the globe.** Chernobyl fallout covered the entire Northern Hemisphere.

The deadly and far-reaching impacts of nuclear accidents already make it a dangerous energy alternative.

Subpoint B: Existing safety regulations are not enforced at nuclear power plants, increasing the chances of nuclear meltdowns.

Paul Davidson from USA Today reports that many nuclear power plants have been on alarmingly thin ice:

Davidson, Paul. [Business Reporter, USA Today]. "How risky is the new era of nuclear power?." USA Today. December 12, 2007.

http://usatoday30.usatoday.com/money/industries/energy/2007-12-11-nuclear-plant-safety_N.htm

However, **since 1979, U.S. nuclear plants have had to shut down 46 times for a year or more, in most cases to fix equipment problems that accumulated over time and that regulators**

should have ordered **repaired earlier**, according to the UCS, which compiled the data from the NRC and other research. And the number of equipment failings that increase the risk of an accident is up since 2001, compared with the previous five-year period, NRC figures show.

The UCS says incidents such as occasional failures of pumps that cool the nuclear reactor core in an emergency eventually **could prove disastrous if they coincide with other [equipment failures.]** low-probability events, such as coolant leakages from the core.

Grunlund explains why so many nuclear power plants face serious risks.

Lisbeth Grunlund, **Union of Concerned Scientists**, December 2007, Nuclear Power in a Warming World,

http://www.ucsusa.org/assets/documents/global_warming/Nuclear-Power-in-a-Warming-World.pdf

Nuclear power plants have experienced scores of more minor accidents and near-misses. These include an accident in Japan in December 1995, when the Monju reactor leaked sodium coolant, setting off a serious fire. Sodium burns fiercely when in contact with air and reacts violently when added to water, making it difficult to control. A recent example of a near-miss is the 2002 discovery that the Davis-Besse reactor in Ohio had a sizable hole in its head: only a thin skin of stainless steel kept radioactive materials from spreading within the plant. Continued operation for a few more months would have led to a Three Mile Island-style core meltdown, or worse (see Box 1).¹² In fact, the Nuclear Regulatory Commission (NRC) has reported four dozen "abnormal occurrences" to Congress since 1986, and notified the International Atomic Energy Agency of 18 nuclear "events" since reporting began in 1992.¹³ While no technology can be perfectly safe,

nuclear power is an inherently risky technology, and minimizing its risks requires stringent safety standards and practices. **The United States has relatively strong safety standards for nuclear power. However, serious safety problems continue to arise because the NRC does not adequately enforce those standards.** Of course, **accidents are not the only measure of safety, and the absence of accidents does not necessarily indicate that there are no safety problems.** The number of U.S. reactors shut down for a year or longer to address numerous safety problems provides strong evidence of poor

safety practices and inadequate NRC enforcement. **A weak "safety culture" within the NRC itself prevents effective oversight. The agency also relies on flawed approaches to assessing risks and inspecting nuclear facilities, and its standards for preventing and mitigating severe accidents are too low.**

Because accidents at nuclear power plants cause horrific effects that harm large areas and because a lack of sufficiently enforced safety regulation increases the likelihood of these accidents, the current expansion of nuclear power production has great potential to undermine the wellbeing of many.

NEG Contention 1: Stopping climate change

The use of nuclear power is crucial to fulfill the growing demand for energy while avoiding environmental devastation.

James Lake, a past president of the American Nuclear Society, explains why nuclear power is considered exponentially better than fossil-fuels.

Lake, James, Bennett, Ralph, Kotek, John. "Next Generation Nuclear Power." Web. Scientific American. January 26, 2009. <http://www.scientificamerican.com/article/next-generation-nuclear/>. page 10.

It may be surprising to some that the use of nuclear energy has direct benefits to the environment, specifically air quality. Although debate continues about the potential for the disruption of the earth's climate by emissions of carbon dioxide and other greenhouse gases, there is no doubt about the serious health consequences of air pollution from the burning of fossil fuels. Unlike

fossil-fuel power plants, **Nuclear plants do not produce carbon dioxide, sulfur or nitrogen oxides.**

Nuclear power production in the U.S. annually avoids the emission of more than 175

million tons of carbon that would have been released into the environment if the same amount of electricity had instead been generated **by burning coal.**

David Biello, an associate editor at *Scientific American*, clearly illustrates the need for clean energy and more specifically, nuclear power.

Biello, David [Columbia Graduate, *Scientific American* editor]. "How Nuclear Power Can Stop Global Warming." *Scientific American*. December 12, 2013. <http://www.scientificamerican.com/article/how-nuclear-power-can-stop-global-warming/>

In addition to reducing the risk of nuclear war, U.S. reactors have also been staving off another global challenge: climate change. The low-carbon electricity produced by such reactors provides 20 percent of the nation's power and, by the estimates of [C]limate scientist James Hansen of Columbia University, avoided 64 billion metric tons of greenhouse gas pollution. They also avoided spewing soot and other air pollution like coal-fired power plants do and thus have saved some 1.8 million lives. And that's why Hansen, among others, such as former Secretary of Energy Steven Chu, thinks that nuclear power is a key energy technology to fend off catastrophic climate change. "We can't burn all these fossil fuels," Hansen told a group of reporters[.] on December 3,

noting that as long as fossil fuels are the cheapest energy source they will continue to be burned. "Coal is almost half the [global] emissions. **If you replace [coal] power plants with modern, safe nuclear reactors you could** do a lot of **[achieve pollution reduction] quickly.**" Indeed, **[H]e has evidence: the speediest drop in greenhouse gas pollution** on record **occurred in France** in the 1970s and '80s, **when that country transitioned from burning fossil fuels to nuclear fission** for electricity, **lowering its greenhouse emissions by roughly 2 percent per year.** **The world needs to drop its global warming pollution by 6 percent annually to avoid "dangerous" climate change** in the estimation of Hansen and his coauthors in a recent paper in *PLoS One*. **"On a global scale, it's hard to see how we could conceivably accomplish this without nuclear,"** added economist and coauthor Jeffrey Sachs, director of the Earth Institute at Columbia University[.], where Hansen works.

Unless we can take measures to halt climate change, we will experience the devastating effects of rising global temperatures. These consequences include high sea level rise over coastal cities, like New Orleans and more frequent and severe droughts in the Southwest.

<https://www3.epa.gov/climatechange/>

The evidence is undeniable. Nuclear energy must remain an option if we are to avoid the harms of climate change and maximize the well being of citizens.