

The Final Round¹

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Resolved: The U.S. government should give Slavery Reparations to its African-American citizens.

A Note about the Notes

I've reproduced my flow chart for the final round at Stamford augmented by what I remember from the debate. The notes are limited by how quickly I could write and how well I heard what was said. Others may have slightly different versions. I'm sure the debaters will read them and exclaim, "That's not what I said!" I apologize for any errors, but I hope debaters will appreciate this insight that what a judge hears may not be what they say or wish they had said.

There are two versions of the notes. The one below is chronological, reproducing each speech in the order in which the arguments were made. It shows how the debate was actually presented. The second is formatted to look more like my written flow chart, with each contention "flowed" across the page as the teams argued back and forth. It's close to the way I actually take notes during the debate.

The Final Round

The final round was between Hamden (Erik Kirchner and Khalid Lum) on the Affirmative and Newtown (Akshay Agashe and Gavin Newton-Tanzer) on the Negative. The debate was won by Hamden.

1) First Affirmative Constructive

- a) Introduction
- b) Statement of the Resolution
- c) Define "Slavery Reparations" as compensation determined according to legal standards on a case by case basis recognizing the costs of slavery to be paid by individuals and corporations.

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- d) Define “African American” (“AA”²) eligible as those with demonstrated ties to slaves
- e) A1³: The US has a responsibility to directly compensate for slavery
 - i) Slavery was a major economic institution since Jamestown
 - ii) Historically, AAs have been the most important minority in the US
 - iii) AAs have never had closure for the damage of slavery
 - (1) US has compensated Native Americans (“NAs”)
 - (2) US has compensated Japanese Americans (“JAs”) interned during World War II
- f) A2: Reparations would compensate for a systematic injustice
 - i) NAs and JAs were harmed as a group
 - ii) Slavery was based on race alone, enforced by law
 - iii) Germany has similarly compensated Jews for the Holocaust
- g) A3: Reparations would increase US moral authority internationally
 - i) The US tries to project its ideals in world affairs
 - ii) US appears hypocritical if it doesn’t deal with its own past
 - (1) e.g. Japanese response to our condemnation of “comfort women” abused during World War II
 - (2) e.g. Turkish response to our condemnation of the Armenian genocide
 - (3) Accused countries respond by pointing to US response to slavery

2) Cross-Ex of First Affirmative

- a) Do you advocate wealth redistribution? While some may interpret it as a payout, the sums will be based on a case by case analysis of the costs of slavery.
- b) Will reparations consider all available assets? Yes
- c) If we can show an alternative that provides the same benefits, will that negate the resolution? I can’t think of any alternatives that would do that.
- d) Can you explain the difference between aid and reparations? Aid is something that is paid to all based on need, not targeted by race or a connection to slavery.
- e) What authority does the US have to impose its moral authority on others? We have a duty to guide and advise other countries. We need the resolution to establish that moral authority.
- f) Why should we care about our moral authority if we do not consider the moral authority of others? Our third contention has to do with US moral authority, not that of others.

3) First Negative Constructive

- a) Introduction
- b) Definition of “should” is that it implies a moral obligation.
 - i) You cannot impose a moral obligation on someone unless it is possible to do it.
 - ii) If the negative can show that it is impossible to reach the benefits of the resolution, then it will have negated the resolution.
- c) Definition: “reparations” are distinct from “aid” in that they are paid to specific individuals.
 - i) The Affirmative must provide for payments to specific individuals in order to support the resolution.

² This introduces the abbreviation “AA” for “African American” in the notes.

³ “A1” indicates the Affirmative first contentions, “N2” the Negative second contention and so forth.

- d) N1: It is impossible to reach the benefits of the resolution
 - i) There is no way to determine all the direct descendants of slaves
 - (1) Other events like Hurricane Katrina and the war in Iraq would prevent testing of all
 - ii) Any program of reparations would give people an incentive to lie to get paid
 - iii) The government does not have the funds for this program
 - (1) There are many competing costs, such as Katrina repairs and Iraq
 - iv) It is impossible to determine if harms are the result of slavery
 - v) Any bureaucratic program will be ineffective, consider the Department of Motor Vehicles
- e) N2: Implementing the resolution will on aggravate the problem
 - i) The real problem is caused by lack of employment today
 - ii) Reparations make AAs appear dependent and entrenches second class status
- f) N3: There are better alternatives to implementing the resolution
 - i) Discussion and education are better ways to deal with racial tension
 - (1) e.g. today's debate is a good thing
 - ii) We should reform policies that entrench the status of AAs
 - iii) Targeting AAs is contradictory to these goals.

4) Cross-Ex of First Negative

- a) Is discussion your only alternative? There are a multitude of alternatives.
- b) Do you believe that debate is always better than action? We mention it as only one way.
- c) When does dependency imply second class status? When we recognize that they need help.
- d) Doesn't aid imply support? It's being paid to remedy victimization.
- e) Are reparations paid in perpetuity? One could argue that they are. Recognizing some need help could lead to discrimination against them by others.
- f) Doesn't affirming the resolution recognize and rectify an injustice? Singling out victims will harm them.
- g) So oppression makes you bad? No
- h) Doesn't the US have extensive resources? It's impossible to cover the all.

5) Second Affirmative Constructive

- a) Introduction
- b) N1: The argument on identifying victims and losses are mostly false
 - i) Slavery was an economic institution so there are good records by owners and the government
 - (1) Research on slavery has shown this is possible
 - ii) All programs encourage lies
 - (1) e.g. JAs had to prove they had been interned
 - (2) my looks often cause me to be mistaken as an AA, but the records show my family arrived more recently
 - (3) there is regular prosecution for fraud
 - iii) Our definition of reparations excludes wealth redistribution, only recompense
 - (1) this will be treated like payments for factory accidents
 - (2) not all AAs will be eligible
- c) N2: It is a fact that the underclass is largely composed of AAs

- i) This is the same argument that was used to oppose civil rights measures
 - (1) Not addressing the problem is what will aggravate racial tensions
 - ii) N3: Note of the alternatives redress the wrongs of slavery
 - (1) Any compensation provided to ex-slaves was taken away
 - (2) These losses can be traced, and it would not be expensive to make payment
- 6) Cross-Ex of Second Affirmative**
- a) If I kick your dog and pay you \$20 does that compensate for having kicked your dog? If the dog dies, or needs medical care, you would be required to pay. In any case the analogy is irrelevant.
 - b) Can you quantify the value of a life? We can quantify the value of the labor provided and property lost.
 - c) How? By investigating slavery and taking the issue up with the successors to those who benefited.
 - d) Who will run this program? The government
 - e) And anyone can submit their name? There would be an investigation for any who asked.
 - f) Where would the necessary funds come from? Taxes, or funds from those who would pay the reparations
 - g) How would we trace those whose ancestors were born on a plantation and not recorded? Research has shown that 90% of AAs could trace their history back to their ancestors arrival.
 - h) Why isn't this like welfare? Reparations are not comparable to aid.
- 7) Second Negative Constructive**
- a) Intro
 - b) Defining "reparations" the Affirmative said they would be paid by individuals and corporations, but in cross-ex they said it would be the government. This is a contradiction.
 - c) As a group, AAs include many who came over years after slavery was abolished
 - d) A1: This is a program of wealth redistribution, which is always bad
 - i) If you kick my dog, reparations don't make it right
 - (1) Some individuals won't accept reparations as sufficient
 - (2) The amount is arbitrary; you can't quantify the harms of slavery
 - e) A2: Negative would target communities that needed help
 - i) The Affirmative assumes AAs want reparations
 - (1) The article quotes several on this point
 - ii) Payment masks the problem by making it seem like everything is okay
 - (1) The real problem is poor schools and lack of jobs
 - iii) NAs hate their reservations, and the money is not deficient
 - (1) Poverty is defined by relative deprivation
 - iv) Past actions don't justify doing them again
 - v) Individuals need access to political power, not just aid
 - (1) e.g. the 14th and 15th Amendments to provide equal rights
 - vi) Holocaust reparations were paid immediately after the event to victims
 - (1) There was no looking back into history
 - f) A3: Moral authority is often used to initiate conflicts

- i) We have no right to impose our ideals on others
- 8) Cross-Ex of Second Negative**
- a) Doesn't our definition of reparations indicate they are voluntarily applied for by affected AAs? But the government is responsible for their allocation
 - b) Didn't we say that the government would be supervising the process? Even so, there incentive to make a voluntary grant.
 - c) Couldn't a court mandate payment? There is no reason AAs couldn't use the courts today.
 - d) Is there a process for AAs to access the courts for reparations? There are many organizations like the ACLU or the NAACP that might be willing to help.
 - e) Many AAs are successful. Why are they asking for reparations? Most don't want a program of reparations
 - f) How many? Honestly, I have no idea.
 - g) How is our program like welfare? It wealth redistribution on the basis a harm, and there is an incentive to exaggerate the harm, and payments that are arbitrary.
 - h) Why shouldn't we correct a wrong action in the past? It is better to rationalize it and work to the future.
- 9) First Affirmative Rebuttal**
- a) N1: It is not impossible to provide reparations
 - i) There are extensive records
 - ii) Not everyone can prove they are descended from slaves
 - (1) We require legal proof and demonstrated harm
 - (2) They will only paid based on reviewing the record
 - iii) Every bureaucracy has problems. This is not a quick fix, but there is no time constraint in the resolution
 - b) N3: The resolution is not about fighting poverty
 - i) The point is to provide justice to those who have been wronged
 - ii) Wealth redistribution is not always bad, e.g. welfare
 - iii) This is about compensation due, not wealth redistribution
 - c) N2: Certainly some racism may occur
 - i) Every piece of non-discrimination legislation has caused racial tension.
 - (1) That doesn't mean they were wrong
 - ii) Second class status of some AAs is part of the status quo
 - (1) Other groups got reparations
 - (2) We are not proposing welfare, so there is no dependency
 - (3) We are fixing a wrong
 - iii) A1: The program is voluntary.
- 10) First Negative Rebuttal**
- a) The Affirmative has a contradiction in their definition to deal with
 - b) N1: We gave five arguments why it was impossible to reach the benefits of the Affirmative
 - i) Many family trees cannot be traced, due to lack of resources and documentation
 - ii) Many will make exaggerated claims, but not under the Negative alternatives
 - iii) Payments will be made to those who suffered no harm
 - iv) Bureaucracy means it will take a long time at a high cost

- (1) Like the DMV, bureaucracies are always inefficient
- v) There is no way we can implement this program
- c) N2: The affirmative only answered the first argument
 - i) Reparations will mask the real problems of education and employment
 - ii) Negative alternatives do deal with these effects of slavery

11) Second Negative Rebuttal

- a) This is wealth redistribution, not just giving money for harms
 - i) Reparations don't fix the harms of slavery
 - ii) Oppressors are paying in an arbitrary manner
- b) A1: The Affirmative assumes all individuals want reparations
 - i) AAs were not all affected by slavery
 - ii) Past precedents do not justify the this action
 - (1) NAs have not been treated better
 - iii) Monetary compensation is wealth redistribution
 - iv) You don't atone for genocide or the Holocaust with money
 - (1) It's better to discuss the problem, increase awareness and fix the real problems like employment
 - (2) The cited examples were examples of immediate, not delayed, payment
- c) A3: The Affirmative has not replied to our argument
 - i) The US is not the moral authority for the entire world
 - ii) There is no equivalent concern for the moral authority of others
 - iii) Let all governments adjudicate these problems

12) Second Affirmative Rebuttal

- a) If I kicked their dog they could take me to court and I'd be forced to pay any medical bills and perhaps some compensatory damages
- b) Many AAs did not have slaves as ancestors, and they would not receive payment
- c) A1: Today's world is the result of slavery in the past
 - i) It is possible to proved reparations
 - (1) wealth redistribution is idealistic
 - (2) we recognize there are no perfect solutions
 - ii) Most negative arguments are idealistic in nature
 - (1) Our definition requires identification of specific harms and ancestry
 - (2) We recognize this could be difficult in some cases
 - iii) Costs are not relevant—this needs to be done because it is right
- d) A2: Holocaust reparations have often been paid to families of the dead
- e) The Negative arguments reflect Lincoln-Douglas not Extemp policy debate
 - i) The Affirmative recognizes that it is an imperfect world
- f) A3: The Declaration of Independence and the Constitution hold that our ideals are universal in nature
 - i) It is part of who we are to prod nations like Japan and Turkey to right wrongs
 - (1) These countries may not agree, but as JFK said, we must set an example
- g) The resolution is not an impossible burden
 - i) The Affirmative has demonstrated that it is possible to pay reparations
 - ii) We recognize that no program is perfect, but we don't need to cover everyone.