

The Final Round¹

Everett Rutan

Xavier High School

everett.rutan@moodys.com

or

ejrutan3@acm.org

Connecticut Debate Association

AITE and Westhill High School

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Resolved: The U.S. should legalize the sale and use of “illicit” drugs.

A Note about the Notes

I’ve reproduced my flow chart for the final round at Westhill High School augmented by what I remember from the debate. The notes are limited by how quickly I could write and by 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: what a judge hears may not be what they said 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 at Westhill was between the Westhill team of Zach Crowitz and Dash Jepsen on the Affirmative and the Darien team of Nicole Granath and Hannah Nolte on the Negative. The debate was won by the Affirmative team from Westhill.

1) First Affirmative Constructive

- a) Introduction
- b) Statement of the Resolution
- c) Definitions
 - i) “legalize” as “end the prohibition of”
 - ii) “illicit” as “now illegal”.
- d) A1²: The status quo is fiscally irresponsible and unsustainable
 - i) The drug war was \$350 million in 1971 and \$30 billion in 2006
 - ii) 400,000 are in prison on drug charges
 - iii) \$7.7 billion could be saved if marijuana were legalized, and \$6.2 billion in taxes raised if it were taxed like alcohol and tobacco

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² “A1” indicates the Affirmative first contention, “N2” the Negative second contention and so forth.

- iv) Reduced consumer expenditures due to high black market prices
 - (1) Federal Narcotics Officer Levine says the cartel counts on drug war to sustain high prices.
 - v) Legalization would shift profits from the drug cartels to the gov't
 - e) A2: The status quo facilitates social unrest, crime and the black market
 - i) Consider the example of Prohibition described on page 1 of the packet
 - (1) Torture, murder, ordinary citizens caught in the crossfire
 - (2) Al Capone was making \$3.6 billion per year in 1926 dollars
 - (3) In 1927 thousands were poisoned from bad alcohol
 - ii) If drugs are legal, they can be regulated
 - (1) Gangs lace drugs with more powerful drugs to create addicts
 - (2) Tobacco regulation raised tax revenue and limited smoking
 - iii) Drug related corruption is damaging countries in Latin America, Africa and Asia
 - f) A3: Legalization will promote public safety
 - i) The gov't can mandate labels, limit the amount of intoxicants, limit the age of use
 - ii) Legalization will not lead to an increase in drug use
 - (1) The Netherlands legalized marijuana and use of the drug declined
 - (2) In Britain, use fell from 28% to 21%
 - (3) There is no "counter culture" effect if it is legal.
- 2) Cross-Ex of First Affirmative**
- a) Are other drugs legal in the Netherlands? I don't know
 - b) Why will drug cartels stop selling? We believe the effect will be to eliminate the cartels
 - c) Won't you have to prosecute to enforce the regulations? These will be rules on how drugs are made and sold.
 - d) But won't you have to prosecute violators? Maybe, but not necessarily put them in jail.
 - e) Does the resolution imply there will be regulation? It seems logical
 - f) But the resolution doesn't require regulation? Legalization implies regulation
 - g) Won't legalization make drugs more available? They may be more widely available, but they will be made safer
 - h) Does "illicit" include stronger drugs like heroin and cocaine? Yes
 - i) Isn't heroin more harmful than marijuana? It is more addictive and produces a different "high," but regulation will make it safer and result in less abuse
 - j) Won't regulations be costly? I don't know, but it will be less than the current costs of enforcement and prisoners
- 3) First Negative Constructive**
- a) Intro
 - b) Resolution
 - c) N1: There is a need to reform our drug policies, but not legalization
 - i) The Neg. agrees the problems described in A1 and A2 exist
 - ii) But there are other policies that would work better, like greater emphasis on drug reduction programs
 - d) N2: The Aff "benefits" of legalization are really drawbacks

- i) A1 says the gov't can make money on drugs
 - (1) Revenues will be negligible compared to costs
- ii) Legalization will make drugs more available
 - (1) With no stigma, drugs will be more attractive
 - (2) This implies increased use, with a decrease in productivity impacting society as a whole
- iii) More will use drugs.
 - (1) P.7 of the packet notes 29% deterred and 21% stopped from using drugs because they are illegal
 - (2) More addicts will have a greater need for illegal sources to fill their needs
 - (a) This will help, not hurt, the cartels
- e) N3: Legalization is harmful to society and will decrease the quality of life
 - i) The negative effects of increased drug use are obvious
- 4) Cross-Ex of First Negative**
 - a) Won't the cartels have lower prices? The gov't will charge costs plus a tax, while the cartel will only charge the cost of production without the tax
 - b) Why didn't this happen with alcohol and tobacco? They are different drugs, with huge, legal organizations set up to sell them
 - c) After Prohibition didn't crime die out? Alcohol was legal before it was prohibited. Prohibition created an opportunity
 - d) Do drug reduction programs work? It's one example of an alternative to legalization.
 - e) What evidence do you have that drugs will reduce the number of new ideas? The broad idea is that drug users are less productive than non-users.
- 5) Second Affirmative Constructive**
 - a) Intro
 - b) I'll start with the Neg case then go to the Aff
 - c) This debate is about which side will create the best society
 - d) N2: Aff plan will produce a lot of revenue
 - i) Gov't will regulate the market, not sell drugs itself
 - ii) Business will be regulated like alcohol
 - iii) Supply and demand says price will decline
 - iv) Lower prices will drive out the cartel
 - e) N3: Gang violence and terrorism is paid for by drugs
 - i) Legalization will stop this
 - ii) Taliban controls 90% of heroin production, will be out of business
 - f) N1: The Neg has no specific proposal, evidence or substantiation
 - g) N2: Under cross-ex, Neg could not give any evidence. They aren't psychologists.
 - h) N1: Rather than rehabilitation, it is better to regulate the trade and limit the potency of drugs sold
- 6) Cross-Ex of Second Affirmative**
 - a) Even if the drugs are sold by private firms they will still be taxed, right? Yes, like alcohol.
 - b) Do drugs have negative effects? Yes, but most result from their being laced with other substances. Pure, less potent drugs would be safer.

- c) Won't they still have detrimental effects? There is nothing about that in the packet, and the issue is highly contentious.
- d) But still detrimental? In moderation, no. Existentialists say, "try it."
- e) If you regulate heroin, will you allow users to buy more? On page 5 of the packet, it says regulation would limit sales to those intoxicated.
- f) If you are on drugs, is your judgment impaired? I don't know.
- g) Legal drugs will have more restrictions? Yes.

7) Second Negative Constructive

- a) Intro
- b) A1 & A2 vs. N1: Negative agrees there is a need to reform
 - i) Resolution is not the best way
 - ii) Negative plan is reform
 - (1) Page 10 notes the cartel fears demand reduction the most
 - (2) We need comprehensive education and rehabilitation
 - (3) Nancy Reagan "Just Say No" program reduced drug use
 - iii) Legalization would undermine demand reduction
- c) A3: Aff assumes legalization will reduce gang crime
 - i) This clashes with N3—cartels will not be driven out
 - ii) Aff admits there is less regulation before legalization
 - (1) Users will want more than regulations allow
 - (2) Therefore there will still be a demand for illegal sources
 - (3) The cartel price will be lower as there is no tax
 - (4) The cartels are large, entrenched and profitable
- d) N1: clashes with A1 & A2
 - i) It' is not appropriate to legalize and condone drug use, and remove any social stigma
 - ii) The result will be more use.
 - (1) In the packed, 29% said they avoided drugs because they were illegal
- e) N2: any tax revenues will be offset by decreased productivity due to drug use
 - i) Legalization will extend the underground
- f) N3: The ultimate result will be negative.

8) Cross-Ex of Second Negative

- a) So your plan is education for drug addicts? And in schools.
- b) Don't we do this now? We would provide more funds and focus on prevention
- c) Do the cartels worry about demand reduction? Yes
- d) Won't demand be reduced if we sell drugs produced in the US? This ignores how much many adults will want.
- e) But isn't this the most effective demand reduction? We don't agree.
- f) You say there could be continued illegal drug use? Yes
- g) Aren't we already spending \$33 billion? This isn't enough.
- h) Why wouldn't cheaper legal drugs be preferred to expensive illegal drugs? If they are cheaper.
- i) There are a lot of middle men in the drug trade. Why would a tax be more than those costs? Logically, if the product is legal in the US.
- j) But if supply goes up, shouldn't prices go down? The illegal trade can use domestic sources too.

9) First Negative Rebuttal

- a) Intro
- b) A1: Aff says we'll save with fewer prisoners and gain tax revenue
 - i) They still have to prosecute violations of the regulations
 - (1) The net effect on prisoners will be negligible
 - ii) The revenue has to be balanced against N2
 - (1) Increased drug use will have negative economic effects
 - (2) This is common sense—drugs are illegal because of negative effects
 - (3) Drugs hurt users and they hurt society
- c) A2: The Neg argument points to more, not less gang war
 - i) Aff says legalization reduces drug usage to reduce cartels
 - ii) But why would legalization reduce drug use?
 - iii) N2 & N3 say there will be an increase in drug usage.
 - iv) Legal drugs become socially acceptable, condoned by the gov't.
- d) A3: actually, legalization will increase funds to terrorists

10) First Affirmative Rebuttal

- a) I will point out the holes in the Neg case
- b) Neg argues for reform
 - i) US already spends a lot on education and rehabilitation
 - (1) No evidence this is working
 - (2) No difference between status quo and Neg plan
 - (3) E.g. drunk driving shows education does not result in change
 - ii) If there is a drug problem now, why not reduce production
 - (1) Regulate drugs for purity, precise dosage
 - (2) Netherlands shows how legalization can reduce usage
 - iii) A little more of the status quo will not work
- c) Neg has no evidence cartels are cheaper
 - i) There are many middlemen and a long way to travel
 - (1) These costs are higher than any tax
 - ii) Netherlands has no gang problems
 - iii) The US can take the business from the gangs, destroy the cartels and promote save use

11) Second Negative Rebuttal

- a) The Netherlands only legalized marijuana
 - i) No evidence on other, more addictive drugs
- b) Cartel activity will not decline
 - i) Heroin addicts won't be able to buy as much as they want
 - ii) Illegal demand will remain
 - iii) Legalization makes it easier to hide illegal traffic
- c) Counter plan offered may not be the best, but it is only one example
 - i) There are many other ways than legalization
 - ii) Drug use is bad, and will harm individuals, families and society (N2, N3)
 - iii) Cartels won't be eliminated.
- d) N3: Legalization means more drug use
 - i) Drugs will be more available, and use will have no stigma

12) Second Affirmative Rebuttal

- a) I will discuss some points, then contrast the Aff and Neg world
- b) Supply and demand says drug prices will fall
 - i) Legalization brings more competition, more production, lower prices
- c) Money from drug sales can be used by the gov't
 - i) Regulation and taxes won't cause any problem
- d) Neg has dropped the Aff safety argument
 - i) Legal drugs will have reduced potency, be sold in limited quantities
 - ii) No proof of productivity loss
- e) The Neg argument that the Netherlands only legalized marijuana is a new argument, and should not be allowed
- f) The Aff case is superior
- g) A heroin user who runs out can go to the store
- h) Neg World: the status quo continues to stagnate with gang violence and drug abuse
- i) Aff World: legalization protects citizens and improves the quality of life