

The Final Round¹

Xavier High School
everett.rutan@moodys.com

or
ejrutan3@acm.org

Yale Invitational, Parliamentary Division September 25, 2011

This House would ban protests at military funerals.

A Note about the Notes

These are my notes from the final round of the Yale Invitational. They are limited by how quickly I could write and how well I heard what was 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 of the Yale Invitational Parliamentary Division was between the Bishop O’Dowd team of Nathalie Dierkx and Audrey Carson as Government and the Wilton team of Simon Brewer and Will Jankowski in Opposition. The debate was won in a 2-1 decision by Wilton on Opposition.

1) Prime Minister Constructive

- a) Introduction
- b) Statement of the Motion
- c) Definitions and plan: the motion will apply to the US Federal gov’t, which will prohibit public displays at burials and funeral services.
- d) G1²: These protests are harassment against the families of the military
 - i) It causes psychological damage to family and friends, leading possibly to death and suicide
 - ii) Value Criterion: benefits and harms should be measured against their impact on US citizens
 - iii) The protesters risk inciting retaliation by counter-demonstrators
- e) G2: The protests have a negative impact on the image of the military

¹ Copyright 2011 Everett Rutan. This document may be freely copied for non-profit, educational purposes.

² “G1” indicates the Government first contention, “O2” the Opposition second contention and so forth.

- i) The military represent heroism, duty to country
 - (1) They don't simply "shoot people" but act to protect family and country
- ii) Tarnishing the military can discourage enlistment and affect foreign policy
- f) G3: The protests desensitize the country
 - i) Using death to make a protest, ignoring the death of the person being honored
 - ii) Less sensitive implies more violence, which conflicts with our value criterion

2) Leader of the Opposition Constructive

- a) Intro
- b) The Opposition has no specific contentions beyond 1st Amendment values
 - i) A ban is an unconscionable restraint on freedom of speech ("FS") and assembly
 - ii) FS is hollow if not protected at its most obnoxious
 - iii) FS must include a diversity of viewpoints
 - (1) If you can't hear what you don't agree with, you will never change or question
 - (2) Everyone brings information and experience
 - iv) This has been stated through the ages:
 - (1) Voltaire: "I may not agree with what you say, but I will defend to the death your right to say it."
 - (2) Franklin: "Those who choose security over liberty will have little of either."
 - (3) Long: "Fascism comes along disguised as anti-Fascism"
- c) G1: Physical disruption of the funerals is already a crime
 - i) Holding signs and protesting the war is not harassment
 - ii) **POI³: What is your definition of "protest"? Any display or disapproval. We contrast the minor disruption vs the right to make your views known**
- d) G2: If there were a negative impact on the military, why haven't we seen it?
 - i) These protests have been around for a long time
 - ii) No drop off in military recruiting
- e) G3: Rather than desensitize, the funeral is the most poignant moment to make a protest

3) Member of Government Constructive

- a) Intro
- b) I will cover Opp then Gov
- c) Opp
 - i) Primary role of gov't is to protect
 - (1) Protests could occur elsewhere
 - (a) Why do they have to be at funerals
 - (b) Why not in parks, gov't buildings
 - (2) Protesting at funerals is disrespectful
 - ii) Primary goal is to respect citizens
 - (1) Other examples include:
 - (a) preventing bullying in school, and
 - (b) keeping the names of rape victims private
- d) Gov

³ "POI" is a "Point of Information" raised by the other team.

- i) G1: Opp agreed protests are disruptive
 - (1) They are not just standing quietly
 - (2) Disruption has a psychological effect
 - (3) Why should psych harm be allowed if throwing rocks is illegal?
 - ii) G2: Enrollment in the military has decreased due to declining respect
 - e) **POI: How do you know the decrease is due solely to the protests? Not solely, but it is a contributing factor.**
 - (1) This wasn't a problem until the protests began
 - (2) The protests have certainly had an impact
 - ii) G3: Opp did not reply to this contention
 - (1) Funerals don't show war is bad unless we value the lives lost
 - (2) There are other ways to protest
- 4) Member of the Opposition Constructive**
- a) Gov then Opp
 - b) Gov
 - i) G1: If the effect is psychological, the gov't can legislate respect or morality
 - (1) Can't limit where protest occurs
 - (2) Can't limit just because it has a psych impact
 - (3) Otherwise the gov't could limit any statement
 - c) POI: If the gov't can't limit behavior, how can the limit murder? There is an inalienable right to life.
 - (1) There is also a right to free speech
 - (a) You have to deal with the consequences on your own
 - (b) Gov't can't limit the actions of individuals
 - (c) Protestors believe they have a valid opinion (mostly about homosexuality)
 - ii) G2: Can't attribute decline in enrolment to protests
 - (1) Money, job situations, camaraderie
 - (2) Maybe it isn't a decline in enrolment but an increase in obesity
 - iii) G3: cline in enrolment to protests
 - (1) Money, job situations, camaraderie
 - (2) Maybe it isn't a decline in enrolment but an increase in obesity
 - iv) G3: Sensitivity can't be legislated
- 5) Leader of Opposition Rebuttal**
- a) Where does gov't involvement stop? When we quarter soldiers in home?
 - b) Preamble to the Constitution says "to establish justice"
 - c) Lots of things are offensive
 - i) Confederate flags, neo-Nazi marches in Jewish neighborhoods
 - ii) Military fought and died for these freedoms
 - d) There may be some negative effects
 - i) These are small compared to the value of preserving free speech
 - e) Funerals are a poignant but opportune time for protest
- 6) Prime Minister Rebuttal**
- a) Thank you.
 - b) Opp only talks about general impacts
 - c) Funerals are a volatile and emotional experience

- d) Gov't does legislate on morals
 - i) Murder, abortion, gay rights
- e) Happiness? We are talking about the loss of a child
 - i) Protests can occur anywhere else
 - ii) This is harassment, and it is not protected
 - iii) We keep rape victims names confidential
- f) Gov't is concerned about desensitization
 - i) We limit movies teenagers can see, and words on daytime TV
- g) Military enrollment? There is some impact from these protests
- h) Opp never explained why Liberty is a good thing
 - i) Aff presented a value criterion that was never contested