

SAMPLE PUBLIC FORUM CASE

My partner and I affirm the resolution: “Resolved: Capital punishment ought to be abolished in the United States.” We would like to define the following:

Capital punishment – punishment by death

Ought – expressing an obligation; should

Abolished – to get rid of

Our framework is whichever side maximizes life should win the round. We have two contentions: 1. Capital punishment isn’t an effective deterrent against crime and 2. Capital punishment devalues life

1. Capital punishment is not an effective deterrent against crime

Capital punishment is not deterrent. As stated in a study conducted by professor Joanna Shepherd of Emory University examining homicide rates in 27 states between 1977 and 1996, “Executions have a deterrent effect in only twenty-two percent of states. In contrast, executions induce additional murders in forty-eight percent of states. Executions have no deterrent effect in seventy-eight percent of states.” At best, one could say that the death penalty had no effect on homicide rates. Realistically however, it is clear that capital punishment is counterproductive in the prevention of crime. Thus, we cannot pretend that to kill one criminal is to save many innocents; as such an act would only have the opposite effect. Capital punishment exacerbates the problem of violent crime.

2. Capital punishment devalues life

The retributive paradigm is flawed. As written by analyst Peter Taynor, “The current rhetoric of just deserts is...divorced from social context. If we divorce the notion of proportionate penalties from social context or social purpose, we are left with little more than the infliction of punishment without any clear vision of what it is trying to achieve.” As Taynor attests, when society adopts the retributive paradigm as the guide of their justice system, all that results is senseless punishment devoid of social benefits. If the concept of *lex talionis* which is so intrinsic to capital punishment is adopted, then lives are being wasted. It is true that there are justifications for killing. Petty vengeance is not one of them. By rejecting capital punishment and being in favor of restorative justice, the affirmative ensures the protection of rights for both the criminals and the innocents.

For these reasons we stand in affirmation of the resolution.