

Research Package #1

Canadian National Style

(Canadian National Style is a type of debate inspired by the style of debate used at the World Schools Debating Championships. National Style is Worlds Style with two person teams instead of the usual three. Each of the speakers is given one constructive speech, and each team is given a reply speech delivered as the last two speeches of the debate.

The team that is in favor of the motion is called the Proposition, and the team against the resolution is the Opposition. All of the constructive speeches are given equal amounts of time. The reply speech is given by the first speaker on each of the respective teams. All debates in Canadian National Style are values debates. All motions are prefaced with the words “This House” referring to a generic government institution (not necessarily Canada). All debaters can address the speaker (Mr./Mrs. Speaker), the chair (Mr/Madam Chair) or the audience Ladies and Gentlemen.)



Jr High: “THW punish student bystanders for failing to stop bullying”

Sr High: “THW punish student bystanders for failing to stop bullying”

Fall Workshop Topic (Sept./Oct.) 2013-2014



Code of Conduct

Preamble: Coaches need to familiarize themselves with this code as well as the rules in the POLICY AND RULES MANUAL and formally inform their debaters, parents, and supporters about these ethics and rules prior to competition each school year.

1. PARTICIPANTS:

GENERAL

- a. Participants shall be courteous and friendly to other competitors, judges, organizers and guests.
- b. Participants shall use language conducive to proper public speaking decorum. **Profanity is unacceptable.**
- c. In the event of a complaint, all participants must bring the issue to their coaches only, who will then approach the tournament organizer on their behalf. Complaints must be lodged immediately following a round of debate or speech.
- d. Participants shall not argue with the judge or their opponents about the conduct or the result of the speech or debate. Participants shall not dispute the result of a debate or speech round in the presence of the judge(s).
- e. The Association does not approve of the use of any illicit drugs or the consumption of alcohol at Association sponsored events

DEBATE

- a. Debaters shall not seek to influence the judge by means other than evidence and argumentation during the debate.
- b. Debaters shall not listen to teams debating that they might meet on the same topic at a later time and thereby gain a competitive advantage. Coaches may, however, observe their own teams.
- c. Use of audio or visual equipment for the purpose of recording a debate may be done with the prior consent of both teams, their parents, and the organizer of the event.
- d. A team shall not seek or provide second-hand information regarding the cases of potential opponents.
- e. Debaters shall not breach normal courtesy by interruption, heckling, grimacing or whispering loudly while an opponent is speaking. Heckling, in an appropriate manner, in the case of Parliamentary style debating is acceptable.
- f. Debaters shall not, either by word or action, seek to belittle their opponents. Debates must be a clash of issues and not personalities.
- g. Competing teams must not collude to affect the debate in any way.
- h. Debaters must respect the personal physical space of an opponent. (Do not invade an opponent's space.)
- i. In an Impromptu style debate, debaters must define definitions in the spirit of debate. In other words, they must be defined fairly and allow for debate on both sides of the resolution.
- j. Students may not use computers, palm pads, cell phones, or any communication technology during a round of debate. Debaters must be able to compete on their own merit and the strength of their research done prior to the event.
- k. A debater shall not pass notes/cards to his/her partner when one of them has the floor, either from the constructive speech or the cross-examination. Debaters are judged on individual skills.

Any conduct not in accordance with these codes will be grounds for disqualification in a tournament, and may include banning participants from future ADSA activities. Matters may be referred back to school based administrators.

2. COACHES:

- a. According to the School Act, as well as School Liability, a Teacher Representative/Coach must be present at all ADSA events that their students participate in.
- b. In the spirit of cooperation, coaches shall actively encourage the sharing of resource materials available from public libraries and other public resource centers between teams within their own school.
- c. Coaches must demonstrate qualities of courtesy and good sportsmanship. These are evidenced by proper acceptance of officials' judgment, positive encouragement of student performance and polite interaction with tournament organizers in the event of a complaint.
- d. Coaches will support the volunteer efforts of fellow coaches and judges, and will encourage their debaters to do so as well.
- e. The Coach/Teacher, as a representative of the school, is responsible for the conduct of all personnel composing the school's team (participants, spectators from their school, and parents of your students). Coaches/Teachers shall make an attempt to control any negative situations, before it becomes an issue for the tournament organizer.
- f. When organizing tournaments, organizers should make an effort to ensure that students from the same school can avoid debating each other when possible and that all debate teams from a school will have a fairly even split of Proposition and Opposition debates. Coaches should try to assign a bye to the school with the most teams at a tournament.
- g. Coaches will not scout out teams.

Any conduct not in accordance with these codes shall be grounds for the ADSA to notify the School's Administration. If behavior does not change, the ADSA will hold the right to ban coaches/teachers from attending future ADSA activities.

3. PARENTS AND SPECTATORS:

- a. Parents and spectators, both student and adult, will demonstrate courtesy and good sportsmanship by positive encouragement (before and after a debate) for their team/children.
- b. Parents and spectators will demonstrate respect towards opponents, coaches, judges and tournament organizers.
- c. In the event of a complaint, parents and spectators are only permitted to approach their team/child's coach, who will then approach the tournament organizer (in that order). Parents, spectators and coaches will not approach opposing teams, coaches or judges after a debate has been completed.
- d. Parents will encourage their child to follow the rules of debate.
- e. Parents will not scout out teams.
- f. Parents and spectators will act in a supportive manner towards all volunteer personnel, who help in the development of all participants' skills, and encourage the promotion and growth of the ADSA.

Any conduct that is not in accordance with this code, shall be as grounds for ejection from a tournament, and may include suspension of future participation in ADSA tournaments or interaction with the ADSA volunteers and participants.

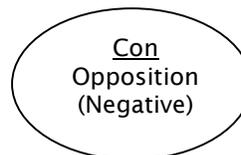
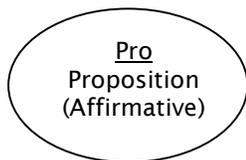
What is a debate?

Debate is an organized way to discuss and come to a conclusion about an issue. The issue is stated at the beginning and is sometimes called a proposition or resolution. For example – **THBT terrorism can be justified**. All of the discussion must relate to it. In a debate, one person speaks at a time and the other participants listen.

The idea behind debate is that there are two sides to every issue. In a debate, the two sides are known as the Affirmative or Proposition and the Negative or Opposition. The two sides of the debate have different jobs arising from their position with respect to the resolution, issue, or topic.

The Proposition (Affirmative) supports the Resolution.

The Opposition (Negative) opposes or clashes with the Proposition (Affirmative).



To win a debate, you must do two things:

1. Give good reasons why your side of the topic is *true*, and
2. Show why your opponent's reasons are *wrong* (rebuttal).

The Alberta Debate and Speech Association is an organization that encourages debate. We have established a set of rules to ensure that these debates are fair for all competitors. ADSA has been in existence since 1974.

THE PROPOSITION

The Proposition speaks first in any debate because the Proposition is suggesting a change. Without this change there would be nothing to talk about. The job of the Proposition in any debate is to persuade the judges that the present system, or status quo, should be **significantly** changed. In order to accomplish this, there are a number of steps that the Proposition team must go through.

- 1) Define the resolution (Make sure everyone is clear upon what the Proposition is debating).
- 2) Present a Model (if needed)
- 3) Present arguments in favor of the resolution.
- 4) Refute Opposition attacks on the Proposition case. (Show why the Opposition is wrong and the Opposition is correct).

Owing to time restrictions, the Proposition duties are normally divided up between the first and second Proposition speakers. In National Style it is custom for the first proposition speaker to present two arguments followed by the second speaker who presents the final argument.

AN EXAMPLE OF A PROPOSITION STATEMENT

Bullying cannot be tolerated and must be punished accordingly

"Canadians value safety, freedom, and justice. These values are preached all over the world by Canadian peacekeepers. However, what message prevails if we are unable to protect our own children in their school environments? Bullying is an activity that requires the participation of peer groups to intimidate and harm. Without this peer group the bully is alone in his/her actions and can be discouraged. Thus, those who stand and watch a bully should be held accountable for their actions.

THE OPPOSITION

The job of the Opposition is to be disagreeable! Whatever the Proposition believes, generally, the Opposition counters. The more you disagree, the better! The Opposition has to convince the judges not to accept the Proposition resolution.

The Proposition wants to convince the judges that their proposal should be adopted.
The Opposition wants to convince you that the Proposition proposal should not be accepted for one or more reasons.

The steps that the Opposition should use are:

- 1) Either agree with the Proposition definition or propose a definition of your own.
- 2) Rebut the Proposition arguments in favor of the resolution.
- 3) Attack the Proposition Model and sometimes propose a counter model
- 4) Present reasons (arguments) to oppose the resolution.
- 5) Refute Proposition attacks on the Opposition case (show why the Proposition is wrong and Opposition is right).

Owing to time restrictions, the Opposition duties are divided between the first and second opposition speakers.

In National Style it is the custom for the First Opposition Speaker to present two arguments and the second opposition speaker to present the final argument.

AN EXAMPLE OF AN OPPOSITION STATEMENT

Bystanders Have Legitimate Fears of Repercussion And This Fear Should Not Be Punished Or Stigmatized

"Bystanders most often do not intervene in bullying activities in fear of repercussions, both physical and emotional. To punish those who are unable to stand up for themselves, let alone another person, is unethical. To put yourself in a position of a bystander is much different than judging one as a third party. We must understand the position of the bystander and accordingly take actions to empower them to take charge in situations rather than punish them

Before the debate begins, members of both teams should clearly write the Resolution on the board at the front of the room and indicate their full names and team codes/numbers, to allow the judges to enter this information on their ballots.

THW punish bystanders for failing to stop bullying

Team # 422 (Bears)

1st Proposition – John Smith

2nd Proposition – James Wright

Team 410 (Moose)

1st Opposition – Henry Dixon

2nd Opposition – Shirley Mace

What are the formats and times of Canadian National Style Debate?

Junior High Canadian National Style (2 person teams)	Jr. High Beginner	Jr. High Open
1 st Proposition Constructive	5 min	6 min
1 st Opposition Constructive	5 min	6 min
2 nd Proposition Constructive	5 min	6 min
2 nd Opposition Constructive	5 min	6 min
**Break	3 min	3 min
Reply Speech by 1 st Opposition	3 min	3 min
Reply Speech by 1 st Proposition	3 min	3 min

Senior High Canadian National Style (2 person teams)	Sr. High Beginner	Sr. High Open
1 st Proposition Constructive	6 min	8 min
1 st Opposition Constructive	6 min	8 min
2 nd Proposition Constructive	6 min	8 min
2 nd Opposition Constructive	6 min	8 min
Reply Speech by 1 st Opposition	4 min	4 min
Reply Speech by 1 st Proposition	4 min	4 min

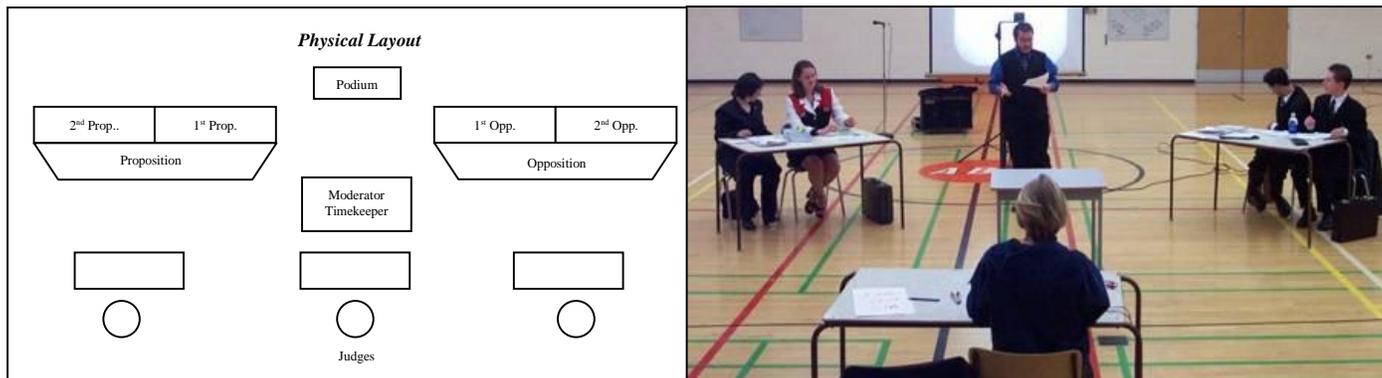
Bilingual Senior High Canadian National Style (2 Person Teams)		
	Sr. High Beginner	Sr. High Open
1 st Proposition Constructive in French (Definitions in both languages)	6 min	8 min
1 st Opposition Constructive in French	6 min	8 min
2 nd Proposition Constructive in French	6 min	8 min
2 nd Opposition Constructive in French	6 min	8 min
Reply Speech by 1 st Opposition in English	4 min	4 min
Reply Speech by 1 st Proposition in English	4 min	4 min

** During this 3-minute break in Junior High National Style no one is allowed to leave the room, this is preparatory time for the reply speeches.

Special notes:

- The first speaker is the Reply speaker, and this never changes.
- Speakers must never interact with their partner while speaking (including passing of notes)
- During the debate, heckling, pulling faces and the like are never tolerated.

What is the Physical Layout of a debate?



The Proposition and Opposition teams always face the audience from the front of the room. Proposition on the left and Opposition on the right from the point of view of judges. Both teams should be seated in clear view of the "chair/timer".

The chair/timer introduces the debaters before they speak and is in charge of ensuring that the debaters know how much time they have left in their speeches. This is indicated either on numbered cards or through standard hand signals.

The debate is 'controlled' by the 'chair' (also referred to as a 'chairperson'). Debaters should always start their speeches by acknowledging both the chair and the audience. A male chair is usually referred to as "Mr. Chairman"; a female chair as "Madame Chair". A common way of starting a debating speech is therefore, "Mr. Chairman, ladies and gentlemen", or "Madame Chair, ladies and gentlemen".



The timekeeper indicates the number of minutes left in a speech by holding up the appropriate number of fingers. The last 10 seconds are counted down on the timekeeper's fingers, in the same way the minutes were counted. After the full time of the speech is completed, the debater still has a 15 second grace period to finish his remarks. This is period is counted down with the timekeeper's arms (imagine the second hands ticking down on a clock). The debater must have finished his speech by the end of the grace period. If he has not, the chair can ask him to sit down.



4 minutes



30 seconds



15 seconds grace

It is important not to be too prescriptive about timing. Ultimately, the best timing depends on the context. Sometimes, for example, a debater will find it important to spend more time than usual on rebuttal; on other occasions, will need to spend more time explaining the arguments clearly. The most important requirement of internal timing is simply that the debater spends about 30 seconds on their conclusion, and a few minutes on the rebuttal. As a general rule, each speaker in the debate will spend more time on rebuttal – so the second Opposition, for example, will generally rebut for longer than the second Proposition, who will rebut for longer than the first Opposition.

Just as important as 'internal timing' is what is sometimes called 'external timing' – the amount of time that you speak for. The principal here is simple: *a debater should use all of the allotted time, but not much more!*

A speaker who speaks for less than his time is making a significant strategic mistake – he or she is missing important persuasion time. That being said, it is important not to go over time, either. Judges will generally allow a speaker about 15 seconds overtime before they start deducting marks. Speaking overtime is completely unwarranted – not only will Judges deduct marks; they will/should stop listening to what the debater is saying!

There is no single way to ensure effective timing. Some speakers wear stopwatches and check the time of their speech; most simply develop a good sense of how long an argument should take. Either way, they need to be aware of time as their speech

progresses. When the one-minute (remaining) card is shown, the debater needs to finish the point that they are on and start summarizing. When the stop card is shown, the speaker needs to finish whatever they are on and sit down!

To determine the winning team and evaluate the individual speakers, an odd number of judges must be present. Having an odd number of judges is necessary to eliminate the possibility of a tie being awarded. The judges work individually in scoring the debate; they may not confer with each other or with anyone else in the room until they have completed their ballots.



Canadian National Style Debate Flow Sheet

High School – Canadian National Style

The Task of the Proposition Team

- The Proposition will argue **for the resolution**
- Members of the Proposition team will provide contentions and arguments and evidence in support of the resolution
- If the Proposition Team’s Position is, on balance, more credible than the Opposition, then the Proposition wins the debate

The Task of the Opposition Team

- The task of the Opposition is to argue **against the resolution**
- Members of the Opposition team will provide contentions and arguments and evidence in opposition to the Proposition and in support of the Opposition position
- If, on balance, the Opposition Team’s Position is more credible than the Proposition, then the Opposition team wins the debate.

1st Proposition (Jr Beg – 5 min Jr Open – 6 min Sr. Beg – 6 min, Sr. Open – 8 min)	1st Opposition (Jr Beg – 5 min Jr Open – 6 min Sr. Beg – 6 min, Sr. Open – 8 min)	2nd Proposition (Jr Beg – 5 min Jr Open – 6 min Sr. Beg – 6 min, Sr. Open – 8 min)	2nd Opposition (Jr Beg – 5 min Jr Open – 6 min Sr. Beg – 6 min, Sr. Open – 8 min)	Opposition Reply Speech (Jr Beg – 3 min Jr Open – 3 min Sr. Beg – 4 min, Sr. Open – 4 min)	Proposition Reply Speech (Jr Beg – 3 min Jr Open – 3 min Sr. Beg – 4 min, Sr. Open – 4 min)
Introduction	Introduction	Introduction	Introduction	<p>Both reply speeches summarize their position and point out the basic flaws of the opposition.</p> <p>No new arguments can be introduced although new evidence (examples, logic etc.) is allowed.</p> <p>Explain why your team should win and the other team should lose.</p> <p>Remind the judges of your arguments.</p> <p>Tell the judges why they should believe your arguments even after the other team’s attack.</p> <p>Explain why the judges should not listen to the other team.</p> <p>Review critical evidence.</p>	
Definitions	If necessary, challenge definitions	Show unity with Caseline	Show unity with Caseline		
Theme/Case line	Theme/Case line	Clash with Opposition arguments	Clash with Proposition arguments		
Model (If Needed)	Clash with Proposition arguments	Additional arguments to support resolution	Further arguments against resolution		
Arguments in support of resolution	If necessary- counter model, otherwise arguments against Proposition	Conclusion	Conclusion		
Conclusion	Conclusion				

Style Information

The first and last minutes of all constructive speeches (all but reply) are protected, meaning Points of Information are not permitted.

Points of Information are not permitted in the reply speeches

Junior High students are provided a 3 minute break between the 2nd Opposition Speaker and the Reply Speech to prepare. No one may exit or enter the room during this time.

1st Proposition Constructive Speech

1st Proposition Constructive Speech (Sr. Beg - 6 min.) (Sr. Open - 8 min.)

1. Introduction
2. Definitions
3. Model (If used)
4. Theme/Case line
5. Proposition Arguments
6. Conclusion



The First Proposition Speaker commands a most important role in the debate. He/she presents and clarifies the resolution for debate and is the first person to speak in favor of accepting the terms of the resolution and as such sets the initial tone and direction of the debate. The First Proposition constructive speech is the only speech that is prepared in its entirety prior to the debate.

In the first proposition speech over eighty-five percent of the speech should be reserved for the constructive matter. The first proposition usually develops two constructive points in their speech giving each point equal time. For example, in an eight minute speech:

- The first minute would contain the introduction and definitions
- The next three minutes would present the first constructive argument
- The following three minutes would present the second constructive argument
- Last thirty seconds would summarize and conclude the arguments.

This speech has six main components:

1. Introduction

A formal introduction is required for the First Proposition speaker. This means more than merely saying, “Good evening”, or “Madame Chair, ladies and gentlemen...” – it means that they need to actually introduce the debate *as a whole*. In essence, a formal introduction involves ‘taking the audience by the hand’, and introducing to them the overall *issue* of the debate. This does not mean giving an intricate factual or historical background to the issue; the goal is simply to provide a conversational and ‘big picture’ introduction to the debate. This however does not mean you need to welcome each person in the room individually to the debate. An introduction such as “Good evening, Mr. Chairperson, Ms. Timekeeper, Judges, Audience, Ladies and gentlemen and of course my most worthy opponents” is not necessary and wastes valuable time.

Formal introductions will rarely win you a debate – no judge is likely to say, “Despite everything that followed, this debate was really won by the First Proposition’s formal introduction!” However, the formal introduction *is* a vital opportunity for you, as first Proposition, to introduce the topic and issue as you see it.

The important point is that a formal introduction is more than a mere greeting – it is an introduction to the issue and, if you choose, a characterization of that issue from your team’s point of view. In essence, it is a roadmap telling the judges what the team will do. This is sometimes called “the split.”

The following is an example:

“Good Morning, ladies and gentlemen. I rise today to talk about a hugely contentious issue. The topic for debate is THW punish bystanders for failing to stop bullying. This is an issue that is gaining publicity in Canada and the US, it seems as though everyday the newspaper has a new story of a student suicide relating to bullying. The heart breaking fact is that bullying is preventable as long as people are willing to step out of the shadows as heroes and not bystanders. Bystanders should be punished for failing to stop bullying for a number of reasons; namely that they have the power to stop bullying altogether, leading to a safer environment for Alberta children, fostering acceptance and understanding in an increasingly diverse world. As first speaker, I will be defining the terms, presenting a model, presenting a theme, and offering two arguments in favor of the resolution. My partner will present a further argument in favor of the resolution to complete our case.

2. Definitions

It is impossible to debate without first understanding what the topic means. Therefore, both teams need to decide what they think the topic means *for the purposes of the debate*. This is known as ‘the definition.’

Debaters cannot define the topic however they like. Rather the definition must be reasonable – the test for a reasonable definition is HOW WOULD THE ORDINARY PERSON ON THE STREET DEFINE THIS TOPIC.

Not many debating topics involve complicated words. Therefore, the purpose of the definition is *not* to tell your audience, Judge and opposition what a word means *in general*. Instead, the purpose of the definitions is to explain what a word means *for this debate*.

In *all* cases, the Proposition Team must present a definition of the topic; a clear statement of what the team understands the topic to mean. The First Proposition speaker presents this definition early in his or her speech. Essentially, by defining the topic, the First Proposition speaker is saying, “We think that this is what the topic means for the purposes of our debate. We think that *both* teams should debate on the basis of this meaning.”

In some circumstances, the Opposition Team may disagree with the Proposition Team’s definition. In that case, the Opposition Team is essentially saying, “No – we disagree with your suggested interpretation of the topic. We think that *both* teams should be debating on the basis of another meaning – the meaning given by our definition.” Therefore, before every debate, *both teams* need to prepare a definition of the topic.

Above all, both teams should try to be as clear and as simple as possible when defining the topic. Definitions should embody the standard meanings of the terms of the resolution in contemporary public discourse. Creative, novel or whimsical definitions are not appropriate. (This is sometimes referred to as “**squirreling**” definitions). Choose straightforward terminology. Be specific and give details so all parties understand the topic being debated.

There are a number of ways in which the terms can be defined. Debaters can define the topic as a whole or define individual terms. By defining terms in the topic it does not mean every single word. There is nothing wrong with defining individual words. However, you should *choose* the terms and words to define; don’t just define every word for the sake of it. Defining many words (such as ‘a’ or ‘the’) is both confusing and a waste of time.

From a judge’s point of view, the worst debates are when the two sides are talking about completely different things. So make it clear for judges and on both teams by defining the terms of the resolution fairly!

For this first example debate the resolution might be defined as a whole as:

A bystander can be defined as a person who witnesses a conflict or unacceptable behavior. Though this conflict can vary in severity or occurrence, a bystander recognizes the behavior is ethically wrong, and does not intervene.

Or term by term:

Student – someone who attends an educational institution
Bystanders – an observer of spectator of an event seen as morally wrong
Failing – not meeting an intended objective
Bullying – The use of force of coercion to abuse or intimidate others.

Hint for the Opposition: If the definition is defined in a way that is not fair this must be contested in the first speech. The ADSA constitution states:

- a) The Proposition must reasonably define the essential terms of the resolution.
- b) The Opposition should take issue with the definitions only if it feels those provided by the Proposition are patently unreasonable. If this happens, the judge shall accept the definition that is best supported through evidence and argument throughout the debate. Definitional debates are a drag for everyone.
- c) The Opposition should not first accept and then later object to the definitions. Failure to challenge a definition is understood to be acceptance of it.

The Opposition may challenge the definitions offered by the Proposition only at the beginning of the First Opposition speech and on the grounds that the definition does not meet the requirements set out in the previous rule. The judges must decide at the start of the debate whether such a challenge is warranted. If the Opposition does not challenge the definition offered by the Proposition at the beginning of the First Opposition speech, it will be assumed to have accepted them.

PLEASE AVOID CHALLENGING THE DEFINITIONS AS MUCH AS POSSIBLE. DEFINITIONAL CHALLENGES RUIN DEBATES.

3. The Model

After presenting the definitions in some debates it is necessary for further clarification about the nature of the topic. If a model is going to be presented in the debate it must also be done in the first speech. A model is much like a plan in a policy debate however it is much less specific. The model helps to answer the five W’s of the debate. Who is implementing this resolution, what is going to happen, when is it going to take place, how is it going to take place, and why this specific course of action.

An example of a Model for the resolution This House Would Subsidies Hybrid Cars:

The Government of Canada will provide a direct tax credits to individual and corporations that have purchased hybrid cars for 15% of their value. Thus decreasing the cost of a hybrid car when compared to their non-hybrid counterparts.

The Proposition's model must be completely presented during the First Proposition speech. When proposing a counter model, the Opposition must describe the entire counter model in the First Opposition speech.

4. The Theme/Case line

The practice of using a theme/caseline is becoming popular in many provinces. Experience shows us that the most successful arguments are those that can be expressed with a simple and unifying idea. It is important to give your audience many *individual* reasons (arguments) that support your side of the topic. However, if possible, it is also very helpful to show your audience, the judges and the opposition the 'big picture' to the case. This is the purpose of a 'theme' (also known as a 'caseline').

A theme is a single, concise sentence that explains the main idea behind the case. Ideally, a theme will explain two things:

- **WHY** the debater say the topic is (or is not) true, and
- **HOW** this comes about

For example, consider the topic "BIRT Globalization is doing more harm than good". A theme for the Proposition Team might be, "Globalization's emphasis on economic competition advantages a few developed nations at the expense of the majority of the world's population." Assuming that it reflects the Proposition Team's arguments, this is an effective theme (whether or not, of course, it is actually true). Specifically,

- It explains **WHY** the topic is said to be true: the Proposition Team opposes globalization because it "advantages a few developed nations at the expense of the majority of the world's population", and
- It explains **HOW** this comes about: through "globalization's emphasis on economic competition."

The simple approach to formulating a theme, therefore, is to ask, "Why is it true to say that our side of the topic is correct?" In this case, it should be asked, "Why is it true to say that globalization is doing more harm than good?" An effective theme would answer this question.

A CASELINE ALMOST ALWAYS IS WORDED AS A "BECAUSE" STATEMENT. As an example in this first debate, the theme/case line could be:

Bystanders who fail to stop bullying must be punished BECAUSE it is they who have the power to discourage such acts. Without bystanders, bullies lose their sense of power.

How often should the theme be used?

Debaters are often told that a theme should be used so often that the audience can remember it when they leave the debate. Some believe that the theme should be stated at the beginning of the first speaker's arguments, and at the conclusion of every point. Some particularly unimaginative debaters also use it as a standard introduction and conclusion, often in the same speech!

However, this approach is a particularly unsophisticated way of debating. As will be explained later, it is important at the end of each argument to explain very clearly how that argument supports the main *idea* of the team case. It is true that the theme should embody this main idea. However, repeating the theme after every argument becomes monotonous, and usually distracts debaters from actually explaining how their argument supports the main idea of their case.

Therefore, the simple rule for using themes is this: *The theme should be stated at least once in every speaker's speech. Every speaker should return repeatedly to the idea that underpins his or her team's case, but there is no need for a speaker to repeat the theme after it is initially stated.*

How should the theme be presented?

The theme is first presented by the first speaker of the team, early in his/her speech. There are a number of ways that the theme can be introduced. Some of these are:

- "Our theme for this debate is ..."
- "Our central thematic argument will be ..."
- "The crux of our case is this: ..."
- "Tonight, our team will show you that ..."
- "The fundamental reason that we support [or oppose] tonight's topic is ..."

5. The arguments in support of the resolution

Like many words used in debating, the word 'argument' has many meanings. For debate purposes, an argument is *a distinct point supporting your side of the topic*. For example, if the topic is "BIRT Schools give too much homework", then the essence of an argument for the Proposition might be, 'Students have so much homework to do that they do not have

enough time for sport or other activities.’ This is not necessarily the *main* point for the Proposition team, and it is hardly the *central* point (that is, the theme). However, it is *a* point nonetheless so, for debate purposes, it is an ‘argument’. Therefore, in the simplest sense, we can consider a debating case to comprise different arguments, brought together by the case approach.

When presenting arguments, or any other important point in a debate, the debater should go through 4 steps:

1. State their point.
2. Explain their point.
3. Provide evidence in support of their point (give an example).
4. Explain how that evidence proves their point (tie it back to their theme).

How many arguments does a debate need?

There is no set rule about how many arguments a debater needs in their case. Naturally, the ideal number of arguments will depend upon the context of the debate – for example, the grade, the length of speeches and the complexity of the topic itself. However, we can spot some important guidelines.

The first and second speakers almost always need at least two arguments. Four or more arguments for either the first or the second speaker will almost certainly become unwieldy – the speaker will probably spend so much time setting up and tying-back those arguments that there will be little time for the essence of each argument itself!

In National Style it is important that arguments are given equal weight within the speech. Meaning that the time given to developing and presenting each of the contentions should be relatively equal. Thus in an 8 minutes speech, leaving two minutes for the definitions and introductions and conclusions, each argument should be about three minutes in duration.

The arguments need to be divided between the first and second speakers, so that each speaker knows what he or she has to present. This process is known as the ‘split’. Therefore, *as a general principle*, the first and second speaker should each have two arguments. This means that, as a team, they should prepare three or four arguments. Here are some suggestions for the first topic. Do not use all these arguments. Pick the ones you can support well, or present some of the views of the side of the debate that is presenting.

Arguments in Favour of the Proposition Caseline

- Bullying is an activity that often involves peer involvement, without bystanders, it’s often discouraged
- Bystanders encourage the bully by making him feel like he has power in a crowd. This should be acknowledged and taught so no one becomes a bystander in these situations.
- If bystanders do not stand up who will? The role of a bystander in a bullying situation is equivalent to the role of someone who does not report a crime. If that is illegal, why should by standing go unpunished?
- The act of by standing should be made to be “cowardly”. No one should feel good about being a bystander. It’s an individual’s change to be a hero.
- If the witness does not want to be involved with the person, they should at least go find help. Punishment is fair and just for people who witness the incident by do not take action.
- In the place of the victim, if you were being bullied you would appreciate assistance from the police or a witness. Basic empathy must be employed and expected.
- Unless we put pressure on students to report wrongdoing, their surroundings are subject to the power of bullies, who inflict lasting physical, mental and psychological abuse.
- With no ramifications for being a bystander, “doing nothing” will always be the preferred path of people who witness an incident of bullying.
- If we can donate thousands of dollars to victims of accidents, natural disasters etc. isn’t it the basis of human morality to stand up for a victim of bullying in our own community?

6. A conclusion

No matter how hard they have concentrated, and how carefully they have listened, audiences and judges can still be swayed by an effective appeal to emotion or a punchy summary of a main idea. This is the role of an effective conclusion of a good debater- to succinctly and powerfully remind the audience of the central point of the debate and that their team has successfully defended that argument.

It is useful to try to find something – a quote, an idea, a triplet, or any other kind of punchy line that sum up the sides approach.

1st Opposition Constructive Speech (Sr. Beg - 6 min.) (Sr. Open - 8 min.)
<ol style="list-style-type: none"> 1. Introduction 2. Counter Model (if necessary) 3. Outline “the split” 4. If necessary, attack definitions 5. Opposition team’s theme/caseline 6. Clash with Proposition arguments 7. Explain arguments for opposing resolution 8. Conclusion



It is usually the role of the first Opposition speaker to oppose the Proposition philosophy and, in turn, the resolution. In particular, the First Opposition attacks the points made by the First Proposition. In National Style the internal timing for the 1st Opposition Constructive Speech, is seventy five percent of the speech should be reserved for the constructive matter. The first proposition usually develops two constructive points in their speech, giving each equal time. For example in an eight minute speech:

- The first two minutes would be used for refutation and rebuilding
- The next three minutes would be used for the first constructive argument
- The next two minutes and thirty seconds would be used for the second constructive argument
- Last thirty seconds would be used for a short summary and conclusion

1. Introduction

How does the First Opposition actually start his/her speech? The answer is simply by acknowledging the chair of the debate and the audience, and not wasting time doing it! For example, start with something such as, “Good evening Mr. Chairman, ladies and gentlemen ...”, or “Madame Chair, ladies and gentlemen ...”, then proceed straight into the speech.

2. Outline of “the split”

Before the rebuttal the debater needs to set up the team’s approach. The first speaker of each team must carefully move through every part of the ‘foundation’ of his or her team’s case. Just like First Proposition did, First Opposition must also present the “big” picture. Here’s what First Opposition might say in this debate:

“The Opposition Team is going to oppose this resolution. We believe that punishing bystanders will not solve the problem of bullying amongst students. There is no law that can stop apathy or passiveness at the scene of an incident. It is important to appeal to the moral consciences of people and encourage them to do the right thing. It is essential to education the public on how to be a helpful bystander, even if they do not directly intervene, to be a bystander that runs for help or deflects the bully’s attention away from the situation. It is only through this education and understanding, that we can find a long-term solution against the problem of bullying.

3. Definitions

If the Proposition has failed to define any key terms of the resolution, First Opposition may offer definitions. If the Proposition definitions are absolutely illogical or unreasonable, First Opposition must contest them immediately by providing compelling reasons for their rejection. (Check the rules on this point). Otherwise, it is assumed that the team’s team is in complete agreement with the terms as defined

4. Opposition team’s theme/caseline

Just as First Proposition did, First Opposition would present the Opposition theme/caseline. In this debate, the Opposition theme might be:

Allowing the punishment of bystanders will not change the attitude of society towards an issue like bullying. It is important instead, to promote basic human values of charity and responsibility, rewarding heroism rather than punishing indifference.

5. Rebuttal (clash with Proposition arguments)

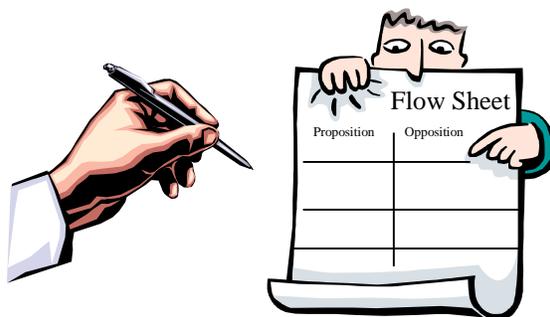
In the rebuttal the debaters must now attack the opponents' arguments. The goal of a debate is to convince the audience that the side of the topic a debater is defending is true. Therefore, a good debater should refute the opposition's case – by rebutting any notion, assertion, argument, example, statistic or anything else whose demise will contribute to the successful collapse of the opposition's case.

How can a debater keep track of all the points made by the opponent?

During a debate, it is important to take notes: as a debater one will need to clash with each point the other side makes as it is impossible to remember everything that is said in a debate unless notes are taken. Debater can use whatever note-taking method works best for them, but many debaters find it helpful to keep a flow sheet with the Proposition on one side and the Opposition on the other. One should write down each point the other side makes, as well as their responses to it. Also a debater should make notes of evidence that supports their own arguments. Debaters can use this sheet for during the refutation part of the speech. Clash, done well, does not just involve taking issue with the logic of the opposition argument. It incorporates evidence that a side has held in waiting for just such an occasion.

Creating a flow sheet:

- 1) Make notes on the key points of the opposition's speech on a piece of paper.
- 2) Leave room on the paper to jot down arguments in response.
- 3) Make a note of evidence that supports argument are used.
- 4) This page can be used for the refutation part of speech.



used
that
the

The Flow Sheet

A Flow Sheet is kind of like a cheap video tape recorder... it allows one to record what the other debater said and to let you think about what an appropriate response should be.

THEM	US

- A Flow Sheet allows debaters to respond to all the points the opponent makes. This is important because judges also keep Flow Sheets. Forgetting, or omitting a point can be the downfall in a close debate and thus the reason for concise note taking.
- Flow Sheets also provide you with a sort of tape recording of the debate.
- You cannot possibly remember everything in the right order and in enough detail without a Flow sheet (**order your opponents' ideas into a structure that better highlights the strengths of your case points**).
- Wouldn't you rather give a speech from a Flow sheet than off the top of your head?

What things should the rebuttal concentrate on?

The first issue is the rebuttal of the opposition's theme. A debater should attack the important ideas and assumptions underlying the opposition's case, *and refer to the opposition's theme while doing this*. The second issue is rebuttal of substantiation (examples and statistics). If the opposition's case is well supported by certain examples or statistics, one needs to rebut them effectively. *If one does rebut examples and statistics, the debater needs to constantly consider and discuss their relevance and context in the debate*. In simple terms, it can be very effective to rebut an example or statistic *if* the debater shows how the opposition's case was reliant upon that material.

6. Counter Model (if one is used)

The COUNTER MODEL involves the Opposition agreeing with the resolution, and then presenting a plan that is *significantly different* from the Proposition's plan. Debaters must remember that it must be substantially different, or it will sound like the model is agreeing with the Proposition, which one must not do on any account if the debater wishes to keep their dignity as an Opposition team member! If one runs this strategy, make sure to explain clearly to the judges what you are doing. Be sure that the counter model is within the resolution and therefore this strategy is only used when it is conducive to do so.

There are problems with the counter model strategy. In agreeing with the resolution the Opposition Team gives away half of the debate, leaving an uphill fight. This strategy is not recommended unless the debaters consider their counter overpowering.

If a counter model is presented, it must be done entirely by the 1st Opposition speaker.

7. Arguments against the resolution

First Opposition must now present arguments to oppose the resolution. Because the debater was rebutting First Proposition's arguments', First Opposition will only have time to present two (2) arguments to oppose the resolution. Just like First Proposition, when presenting the arguments, the debater should follow the four steps as outlined:

- 1) State the point.
- 2) Explain the point.
- 3) Provide evidence in support of the point (Give an example).
- 4) Explain how that evidence proves the point (Tie it back to the theme).

Below are some suggested arguments against the resolution. Do not use all these arguments. Only pick the ones that the side can support well, or present their own

Arguments in Favour of the Opposition Caseline

- We can't expect people to speak out when the risk of retaliation is so great. People stay silent to survive in their own communities; can we truly challenge human instinct?
- The legal system has everyone afraid of helping a victim of bullying. Punishing bystanders will not help. Instead, we need to arouse their consciences, and have them be aware of their social and moral duties.
- Who will identify the bystanders? Who will take them into custody and under what specific law? Making bystanders criminals is impractical and illogical.
- People need to feel a moral responsibility to help others. Awards for bravery instead of punishments for bystanders could be more effective.
- The ethics of a situation involving bullying cannot be forced on everyone; they are a reflection of societies attitudes. The media should try and publicize stories of heroism and this may inspire people to help others.
- There is common misconception that the law etc. will harass those who stand up for a victim in a crime. This must be clarified and the stigma involved should be dissolved.
- In today's world, helping out in bullying situations is often seen by students as unnecessary complication in their lives. It would be better to reward those who do extend a helping hand instead of punishing bystanders.
- The root issue of bystanders in bullying is where they get their negligence. What is the source of an indifferent attitude towards a victim? In an age of advanced technology etc. why are people forgetting the basic human values of responsibility, charity and support?

8. Conclusion

Just as we suggested for First Proposition, here too, an effective conclusion needs to remind the judges/audience of your central point.

2nd Proposition Constructive Speech

2nd Proposition Constructive Speech (Sr. Beg – 6 min.) (Sr. Open – 8 min.)

1. Introduction
2. Clash with points made by Opposition
3. Outline team's case approach
4. Further Proposition Arguments
5. Conclusion



The Second Proposition speech is the first opportunity the Proposition Team has to directly clash with the arguments of the Opposition's case. It is also the Proposition's last chance to present new contentions that support the resolution and their proposal. In National Style the internal timing for the eight (8) minute Second Proposition Constructive Speech is four (4) minutes for construction and four (4) minutes for refutation. For example in an eight minute speech:

- The first thirty seconds would be used for the introduction
- The next three minutes for refutation of the opposition and rebuilding
- The next four minutes for construction of a single new argument
- The final thirty seconds for the conclusion

1. Introduction

Acknowledge the chair and the audience and then immediately begin the rebuttal.

2. Rebuttal (Clash with Opponent's arguments)

- Use a flow chart to keep track of everything that the First Opposition speaker said
- Now directly address each of the specific challenges that he/she issued. Challenge the arguments that he/she gave. Show why Second Proposition considers his/her reasoning or evidence to be wrong. One way or another, Second Proposition should deal with every argument, example and significant idea that the opposition raised.
- Is it possible to rebut the rebuttal? What happens if the opposition rebuts one of the proposition's arguments? Should they rebut their rebuttal? The answer is – yes, every time. One should not spend too much time doing this, but it must be done.

3. Outline team's case approach

As a second speaker, they will not have to set up a case. However, it is nice to give a sense of 'case unity' – to show the audience and judges how the team's arguments fit together. Therefore, as a second speaker, it helps to provide a brief link to their case as a whole before commencing into the individual arguments. Usually, this means stating your team's theme and briefly recounting your first speaker's arguments, before moving on to outline your own. For example, you could say:

"Our first speaker has presented a compelling case, calling for individuals to take responsibility for the safety of their communities by standing up for each other in situations of bullying and intimidation, or else face sufficient punishment. As the second proposition speaker, I will be providing one further argument in favor of or them on why punishing bystanders will decrease the number of incidents involving bullying in educational environments.

4. Further Proposition Arguments

Second Proposition must now continue to present arguments to support the resolution. Because he/she was rebutting Second Opposition's arguments, Second Proposition will only have time to present 1 more argument. Just like First Proposition, when presenting the arguments, he/she should go through four (4) steps:

- 1) State the point.
- 2) Explain the point.
- 3) Provide evidence in support of the point (Give an example).
- 4) Explain how that evidence proves the point (Tie it back to the sides theme).

5. Conclusion

As with the other two (2) speakers, here too an effective conclusion needs to remind the judges/audience of the central point of the argument.

2nd Opposition Constructive Speech

2nd Opposition Constructive Speech

(Sr. Beg - 6 min.)
(Sr. Open - 8 min.)

1. Introduction
2. Continue attack on Proposition
3. Outline team's case approach
4. Further arguments against resolution
5. Conclusion



This final constructive speech of the debate gives the Second Opposition speaker an opportunity not only to criticize the Proposition plan, but also to present the final contentions that complete the Opposition case. The usual split between for the Second Opposition speech is six (6) minutes for refutation and two (2) minutes for construction. It is good practice in a debate to only introduce a single argument in the second speech. For example in an eight minute speech:

- The first thirty seconds is used for an introduction
- The next four minutes would be used for refutation
- The next three minutes would be used for the last constructive point
- The final thirty seconds to conclude the opposition side of the debate

1. Introduction

Acknowledge the chair and audience and then straight into rebuttal.

2. Rebuttal (Clash with opponent's arguments)

The key to the Opposition strategy is refutation. This involves using flow sheets as was described previously. Keep track of everything that the Second Proposition has said and then specifically challenging everything he/she has stated.

The role of the Opposition is to defeat the Proposition by persuading the judges that the Proposition's proposal should not be accepted. One way this can be accomplished is by attacking the Proposition arguments and/or the model.

- Attack the Proposition plan as unworkable, undesirable, and/or unnecessary.
- Refute the Proposition case as a whole. Defend and strengthen Opposition arguments, including those presented earlier by First Opposition. Try to refine and solidify your best points without sounding repetitive.

3. Outline team's case approach

Just as with the Second Proposition, the debater will not have to set up a case. However, it is nice to give a sense of 'case unity' - to show the audience and judges how the team's arguments fit together. Therefore, as a second speaker, it helps to provide a brief link to the case as a whole before you commence the individual arguments.

Usually, this means stating the team's theme and briefly recounting the first speaker's arguments, before moving on to outline the team's own.

4. Further arguments

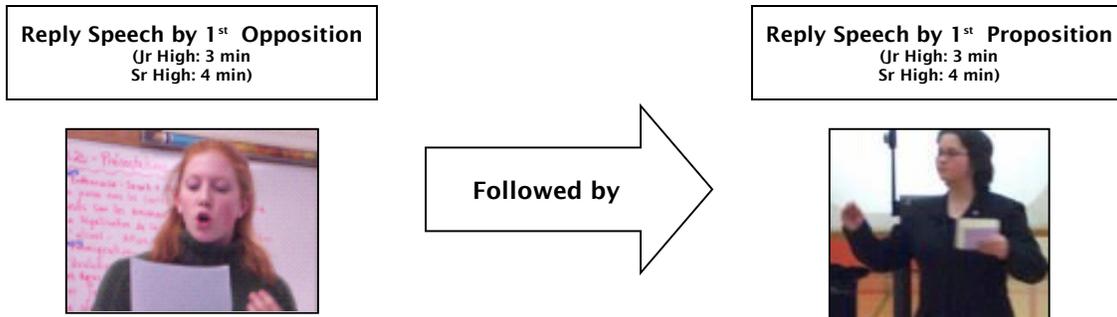
Second Opposition must now present one more reason to oppose the resolution. Because he/she was rebutting Second Proposition's arguments, Second Opposition will only have time to present one more argument. Just like the other speakers, when presenting the argument, he/she should go through 4 steps:

- 1) State the point.
- 2) Explain the point.
- 3) Provide evidence in support of the point (Give an example).
- 4) Explain how that evidence proves the point (Tie it back to the theme).

5. Conclusion

Here too, as with the other three speakers, an effective conclusion reminds the judges/audience of the team's central point.

Reply Speeches



Reply speeches are given by the first speaker on each team. Reply speeches occur in reverse order – the Opposition reply before the Proposition. The Opposition Team therefore has two consecutive speeches: the Second Opposition speech, followed by the Opposition reply speech.

Reply speeches are not 'more of the same' – they are not merely a continuation of the second speeches. The aim of reply speeches is to give each team a brief opportunity to consolidate its ideas and review the debate, in order to present the debate in the most favourable light for each side.

The reply speeches should be different from the other four speeches in the debate. By the time the reply speeches arrive, the debate is essentially concluded. The goal of the reply speech, therefore, is not so much to win the *argument* as it is to step back and explain how your team won the *debate*. The debaters can emphasize the reasons that their team won, and can constructively criticize their opponents' approach, explaining why they lost.

The simplest approach is to spend approximately half of the reply speech discussing the opposition's case, and approximately half discussing their own. Of course, this does not mean giving an even-handed appraisal of the cases – naturally, the speaker will analytically criticize their opposition's case as they summarize it, and emphasize the strengths of their own case. Ideally, when summarizing the case, one will show how it answered the questions or problems posed by their opponents.

Look for *specific* reasons that the opposition may have lost the debate. For example, they opposition may have established criteria that it has failed to meet, or promised to support a model that has not been mentioned since the first speaker. Similarly, the opposition may have forgotten to rebut one of Proposition's arguments – debaters should keep track of this, because it can be a significant point in their favour.

Point of Information

Points of Information are an intrinsic and important part of National Style Debate. A Point of Information (POI) is defined by a competing debater standing up during unprotected time and requesting either verbally or silently to speak. They can do this by standing up and saying "On that Point" or "Point of Information". The speaker can accept or deny the point, verbally or with a hand motion. If accepted the debater has the opportunity to make a short verbal interjection into the speech. It can be in the form of a question, or simply information. The purpose of a Point of Information is to a) attach your opposition's points directly or b) advance your constructive matter. If the speaker declines the POI a debater must sit down immediately.

The speaker may do one of several things when a POI is given in their constructive speech:

- a) Reject the point briefly, perhaps by saying something like "no thank you" or "not at this time". The debater who stood on the point will sit down. It is also acceptable for a debater to politely wave down the speaker without verbally rejecting it and disrupting his/her speech.
- b) accept the point and allow the point of information to be asked, and then proceed to address the point. A speaker may address the point briefly and move on, choose to merge an answer into what they were going to say, or state that they will deal with this later on (in which case they need to be sure they do so)
- c) or say something like "just a second", or "when I finish this point", and then yield the floor when they have finished their sentence or thought.

It is expected that each debater will accept at least two POI's during his/her remarks. Each debater on the opposing team should offer, at least, two POI's to each of the debaters delivering a speech. Adjudicators are instructed to penalize teams if the lower limits are not attained.

How well a debater handles themselves in the rough and tumble of offering and accepting POI's is key in this style of debate. The general rule is that each debater should offer at minimum two (2) Points of Information in each speech and take two (2) points during the speech. (Give 2 , take 2) However depending on the flow of the round faster paced rounds will have more points of information given.

An Excellent discussion of Points of Information can be found at:

http://www.albertadebate.com/adebate/resources/debate/points_of_information.pdf.

Judges Break

Following the last reply speech, the chair/timer announces that the judges will be given time to complete their evaluation sheets. At this time, the two teams, with permission of the chair, may approach each other to shake hands and offer congratulations. The teams should then return to their seats and remain there quietly until the chairperson collects the judge's forms.

Debate Judge's Ballot

CANADIAN NATIONAL SENIOR HIGH BALLOT

Round : _____ Room: _____ Judge's Name : _____

Resolution: _____

Proposition Team : _____
 1st Speaker: _____
 2nd Speaker: _____

Opposition Team: _____
 1st Speaker: _____
 2nd Speaker: _____

Category	Points	1st Proposition	2nd Proposition
Matter	27-29		
Manner	27-29		
Strategy	13-15		
Individual Total	67-73		
Team Total			

Category	Pts	1st Opposition	2nd Opposition
Matter	27-29		
Manner	27-29		
Strategy	13-15		
Individual Total	67-73		
Team Total			

CIRCLE WINNING TEAM:

PROPOSITION / OPPOSITION

Matter 27-29

The content of the debate including: argumentation, examples, logic, clash and reasoning.

28 Average

Manner 27-29

How the debater presented the speech – the verbal and non verbal communication that made the speech effective or not effective.

28 Average

Strategy 13-15

Use of the style, points of information, structure of speeches including time, strategic placements of clash and arguments.

14 Average

Decision

In most tournaments, once the judges have completed their ballots, the chair/timer will announce the winning team. Every debate has a result – one team wins and one team loses. There cannot be a draw. Judges are not allowed to make random or arbitrary decisions – they must follow clear guidelines about what is, and is not, good debating. Of course, debaters and audience members will often disagree with a judge’s decision, and sometimes judges disagree with each other. However, this is part of the challenge of debating which is to debate well enough that you can persuade *any* judge that you deserve to win the debate.

In some tournaments, the Chair/timer may be asked not to announce the decision so that debaters cannot predict who the finalists will be. Individual ratings are not revealed.

Judges’ Responses

After the judges have submitted their ballots, they are sometimes invited to share their thoughts on the debate. The constructive comments received there, based on “Principles of Debate” outlined in the “ADSA Guide to Judging Debate,” are a real asset to debaters, contributing greatly to the refinement of their skills. **Debaters or anyone in their party (except coaches on rare occasions only), cannot respond to, or question the judges either during or after the debate. Judges’ decisions are final.**

Format of Debate and Constitution

Format: The following for [Junior and Senior High](#) can be found on our website under Online Resources and scroll down to Debate Styles

- *Canadian National Debate Flow Sheet*
- *Canadian National Judges Briefing Guide*
- *Canadian National Debate Guide*
- *Canadian National Debate Judges’ Ballot & Flow Sheet*
- *Canadian National Debate Judging Guide*
- *Canadian National Moderator’s Guide*
- *Canadian National Timer Numbers*

Constitution:

- [Canadian National Debate Guide PDF](#)
- [Canadian National Style Video](#) (open these in a new frame): [Part 1](#); [Part 2](#); [Part 3](#); [Part 4](#); [Part 5](#)

RESEARCH

This Research booklet is not complete. It is only an overview of information and good debaters will use this booklet as a basis for their thinking and move on to other ideas and research. As well, the best foundation for any research into a topic begins with some basic reading on the ideas. Follow this with an interview with someone who is knowledgeable, can suggest ideas and can direct you to other ideas and research. Although you cannot quote this person unless he/she is published in print or on video, a human being can always explain issues better than an article.

Failure to Report a Crime: Why We Should Punish Bystanders

<http://politicalcartel.org/2009/10/28/failure-to-report-a-crime-why-we-should-punish-bystanders/>

Since news of the **gang rape** of a 15-year-old Richmond High School girl broke, one of the biggest questions has been about the guilt of the bystanders. News outlets reported that more than twenty people came to watch as the California girl was beaten and raped repeatedly by several boys for two and a half hours. **CNN** says, “[some] witnesses took photos. Others laughed.” Some of those who came over joined in the assault. None of them made any attempt to stop the crime or report it to police. It was only later when some witnesses were discussing the event that they were overheard by a citizen who did call the police who found the girl unconscious under a bench where she had been left. She was flown to a hospital, listed under critical condition, and remained there for days.

Despite the outrage felt by many, there is little chance of any criminal action against the bystanders. Crimes that result from a failure to act are rare. The most common such offenses result from a special relationship between the defendant and the victim (child neglect, for instance) or when the defendant is the one who put the victim in danger in the first place. State legislatures are free, however, to enact statutory duties with criminal penalties for a failure to act. For instance, California has a **law** that makes it a misdemeanor for anyone not to report a witnessed crime against a child under 14 (that law was prompted by the story of **David Cash**, which sparked national outrage). The unfortunate victim in this recent case was 15.

Kitty Genovese was 28 when she was murdered in an alley and became a symbol of the bystander effect. There are several psychological reasons why bystanders do nothing when they witness a violent crime. They may fear for themselves if they attempt to intervene or they may fear retaliation if they report the crime to police. The more bystanders are involved, the more diffused the responsibility is among the crowd, reducing the pull on any single person.

Any law that required witnesses to act would need to be narrowly framed because these kinds of laws involve a lot of questions about possible undesirable situations. How serious would the crime have to be to demand action? Would the person be forced to intervene or just to report the crime to police? Would the person need to witness the crime personally or just become aware of it? Would this require friends and neighbors to report each other? Such fears about broad are understandable.

Misprision of felony is an old common law tradition that makes it illegal not to report a witnessed felony. For various reasons, including the above suspicions, it has disappeared from most jurisdictions. This recent incident may lead legislatures to reexamine this kind of legislation, though. The national outrage over this incident demonstrates a societal desire to punish bystanders who do nothing. There is clearly a societal interest in protecting victims of violent crimes, and that interest easily outweighs the privacy interest of bystanders who need only pick up their phones to call police (instead of using them to take pictures). Furthermore, criminal penalties may provide enough incentive to overcome the bystander effect (or “Genovese syndrome”).

I am not a lawmaker, but the legislation I drafted below might be narrowly tailored enough to meet the societal interest without leading to the frightening possibilities:

Failure to Report a Crime

Section 1. Any person who reasonably believes that he or she has witnessed a crime identified in Section 2 below and fails to report the crime to a law enforcement officer as soon as reasonably possible commits a class A misdemeanor.

Section 2. This act shall apply to the following crimes: murder, manslaughter, rape, and aggravated assault when such assault involves a firearm.

Section 3. This act shall not apply if the perpetrator of the crime is an immediate family member of the witness.

Section 4. Nothing in this act shall be construed as to impose a duty to intervene to stop the crime or to perform any action that puts the witness in immediate physical danger

Bystanders and bullying Onlookers, witnesses, eyewitnesses, spectators, turncoats, reprisals Why junior staff are afraid to speak out against senior colleagues

<http://www.bullyonline.org/workbully/bystand.htm>

In most bullying situations, the target of bullying finds themselves isolated and alone. Work colleagues, who may formerly have been friendly and supportive, melt away and the target is left feeling like a pariah and an outcast.

There are many reasons why colleagues at work fail to come to the aid of a fellow worker being bullied. These include:

- the bully has gone round the department and warned everybody off, often using implied threats of reorganization (redundancy), restructuring (redundancy) or even disciplinary action against anyone who helps the target
- the bully creates a climate of fear where everybody is afraid to speak out or take action
- fear of reprisal
- very few people, when put to the test, have the integrity and moral courage to stand up against bullying, harassment, corruption etc.; the target is selected often because they do have this

moral courage; most people *will* pass by on the other side, only targets have the integrity to be a good Samaritan

- in the presence of an aggressor, particularly a devious, manipulative, charming one, many people prefer to act more like sheep than humans
- many bystanders are only mediocre at their jobs and their sense of vulnerability through fear of being targeted is thus greater
- understanding of bullying is low and many people still hold outdated views such as "why don't you stand up for yourself?" [answer - because the moment you assert your right not to be bullied the bully moves into phase two of the bullying process which is elimination - click [here](#) for more] and "if you can't stand the heat get out of the kitchen"
- work colleagues often have no understanding or experience of bullying, manipulation, psychological violence, etc
- some bystanders are able to employ the "I didn't know what to do" excuse to abdicate and deny their responsibility; bystanders who use this excuse make no effort to find out
- you'll be surprised to realise how many work colleagues have brown noses which you hadn't noticed before or which you'd put down to sunburn
- some of your workmates will turn out to be turncoats
- denial is everywhere
- in environments where the bullying is entrenched, it's regarded as "normal" behaviour
- work mates think that if they keep their heads down, their mouths shut and pretend nothing is happening then it won't happen to them [wrong - their turn will come eventually]
- work colleagues have their own share of problems and they're not going to risk losing their job for someone else
- your workmates are not people you have chosen to be with and they may not be friends - they just happen to be there
- work is an institution, not a family or community; your co-workers have no legal obligation towards you
- bullying goes on over a long period of time, the target eventually becomes obsessive about the bullying, work colleagues start to experience compassion fatigue and turn off; if the bullying continues, colleagues may become aggressive and actively join in with the mobbing, victimising and scapegoating as the pack mentality takes over
- unlike assault and harassment, bullying is subtle and comprises hundreds, perhaps thousands, of incidents which out of context and in isolation are trivial - thus bystanders can't see the full picture
- bullies exert power and control by a combination of selectively withholding information and spreading disinformation, therefore everyone has a distorted picture - of only what the bully wants them to see
- bullying often goes on behind closed doors so no-one sees it or recognizes it
- bullying may be carried out in front of people who are unable to recognize the tactics of bullying, especially the use of guilt and sarcasm
- the bully goes to great lengths to undermine their target and portray them as a poor performer - work colleagues are encouraged to regard the target as a threat to the organization
- the bully is a smooth, slimy, sycophantic individual who excels at deception using a combination of compulsive lying, Jekyll and Hyde nature, manipulation, mimicry of normal behavior, self-assuredness and charm
- bullies, especially female bullies, are masters of manipulation, and are fond of manipulating people through their emotions (e.g. guilt); bullies see any form of [vulnerability](#) (e.g. the need to pay the mortgage) as an opportunity for manipulation and exploitation

- your colleagues at work have vulnerabilities too
- bullies are adept at manipulating peoples' perceptions with intent to engender a negative view of the target in the minds of work colleagues, management and personnel - this is achieved through undermining, including the creation of doubts and suspicions and the sharing of false concerns
- bullies poison the atmosphere and actively poison people's minds against the target
- when close to being outwitted and exposed, the bully feigns victimhood and turns the focus on themselves - another example of manipulating people through their emotion of guilt, eg sympathy, feeling sorry
- most bystanders are hoodwinked by the bully's ruses for abdicating responsibility and evading accountability, e.g. "that's all in the past, let's focus on the future", "what's in the past is no longer relevant", "you need to make a fresh start", and "forgive and forget, you've got to move on", etc.
- the bully encourages and manipulates bystanders to lie, act dishonorably and dishonestly, withhold information and spread misinformation
- the bully manipulates bystanders to punish the target for alleged infractions, i.e. the bystanders become instruments of harassment
- the bully is often able to bewitch one especially emotionally needy bystander into being their easily controlled spokesperson / advocate / supporter / denier
- the bully often forms an alliance with a colleague who has the same behavior profile, thus increasing the levels of threat, fear and dysfunction
- the bully is able to charm and manipulate a number of bystanders to act as supporters, assistants, reinforces, appeasers, deniers, apologists and minimizers
- in an environment where aggression is dominant, good people become disempowered and disenfranchised
- many people do not have the emotional intelligence or behavioral maturity to understand bullying, let alone deal with it
- when there's conflict in the air, most people want to be on the winning side, or the side they think will survive
- some people gain gratification (a perverse feeling of satisfaction) from seeing others in distress and thus become complicit in the bullying
- a few sad people think that bullying is funny
- some observers regard behavioral responses that are reasonable and civilized as a sign of weakness rather than maturity
- many people lack critical thinking skills and analytical abilities and thus cannot see through the facade or the bully's mask of deceit
- apathy is rampant
- many employers are interested only in creating a workforce of corporate clones and drones so this is what employees are programmed to be
- the bully grooms bystanders, and the target, to believe the target deserves the treatment they are receiving
- when the target of bullying is off sick, the bully labels them as having a "mental health problem" and forbids staff to contact the person
- the bystanders see only the Dr.Jekyll side of the bully, but only the target sees the Mr./Ms. Hyde side; Dr.Jekyll is sweet and charming, Mr./Ms. Hyde is evil; Mr./Ms. Hyde is the real person, Dr.Jekyll is an act
- many workplaces undergo reorganization every six months (or more) therefore there's never sufficient time for employees to gain an accurate picture of the bully

It's easy to see the parallels between the actions and inactions of workplace colleagues and how Hitler was able to co-opt so many of the German people into supporting him - those with the moral integrity to refuse were arrested, tortured and shot. Hitler was not the first dictator to eliminate anyone who objected. Rome created a great empire, not by having meetings, but by killing all those who opposed them. In the workplace, those who decline to support the bully are isolated, victimized, scapegoated, have undue constraints and excessive workloads imposed, and are then subjected to disciplinary proceedings on trumped-up charges as a prelude to losing their job (as well as their career, livelihood and health).

Bystanders can make a significant difference in the workplace (and in bullying situations in school); bullies are cowards and if they sense that someone other than their target is going to expose them, they may slink away with their tail between their legs. However, bullies are extremely vindictive and will do everything in their power to destroy anyone who can see through their mask of deceit. In very rare cases you may receive information from a bystander who wants to help but is afraid to do so publicly for fear of retribution - and fear of becoming the next target.

Fear of a bullying boss, or fear of someone in higher authority who can wreck your career, is a common reason for people refusing to speak out. Disaster and death can result. An [article](#) by Olivia Barker in *USA Today* on 8 December 1999 titled "*4 studies aim to reduce, resolve medical mistakes*" reports the USA Institute of Medicine's finding that 98,000 people die each year from medical mistakes caused by cultural and systemic problems. In many cases a junior member of staff saw the error being committed but was too afraid to speak up. Bullying by consultants is rife in health services, many of which fit the [Guru profile](#). [Examples: [#1](#) [#2](#) [#3](#) [#4](#) [#5](#)]

Unwillingness by co-pilots and engineers on the flight deck to speak out against the erroneous and potentially fatal actions of the pilot were a factor in several major air disasters including the [BEA Trident](#) which crashed in Staines, London on Sunday 18 June 1972 and in the world's worst airplane disaster at Los Rodeos airport in the Canary Islands on Sunday 27 March 1977. In the former, the abnormal heart condition of Captain Key and his autocratic overbearing manner (it is thought these two are connected) led to a series of errors during takeoff from London Heathrow which the flight crew were unable or unwilling to highlight or correct.

In the latter, two jumbo jets (KLM Boeing 747 PH-BUF and Pan American Boeing 747, N736PA) [collided on the runway](#) after KLM's most senior pilot Captain Jacob van Zanten commenced takeoff without proper clearance from air traffic control. Fog, confusing radio communication, Captain van Zanten's impatience to get airborne (and get home before he exceeded his duty time) plus the reluctance of the co-pilot and flight engineer to question and especially overrule the Captain, contributed to 583 deaths. Pilot training was subsequently altered with the introduction of [CLR](#) (Cockpit Leadership Resource) or Cockpit Resource Management (CRM) whereby the flight deck crew works as a team rather than an autocratic hierarchy.

Today the main issue in the airline industry (and elsewhere) is bullying from non-operational managers whose priority - and sometimes-sole concern - is to achieve profits for their company. The views and needs of pilots - whose concerns are over safety or legal constraints - are ignored, downplayed or overruled. When profits and safety collide - especially in the transport industry - it's profits, which may gain the upper hand, especially in times of an economic

downturn. The safety system may, in this way, become eroded. Pilots who raise legitimate issues are therefore likely to find themselves fighting the company they work for, and being threatened with dismissal for "bringing the company into disrepute".

Should Bullies Really Be Punished By Criminal Law?

http://www.huffingtonpost.ca/dyanoosh-youssefi/amanda-todd-bully_b_2006597.html

It has been just over a week since Amanda Todd's tragic and heart-breaking suicide, which she committed to end the pain from the endless torment of the bullies in her life. A week filled with the public's sadness, questions, and soul-searching. A week of outcries: "How did we stand by and let this happen?" "What can we do to prevent another Amanda Todd tragedy?" "Bullies should be punished immediately and harshly!"

And at the end of that week, suddenly and predictably, eight girls in London, Ontario, have been **arrested for bullying** another, and have been charged with criminal harassment.

We deservedly feel guilt and shame over Amanda's fate and our inaction as bystanders to other cases of bullying. But the desire to do something, and perhaps to relieve our sense of guilt, should not lead us to precipitously arrest every bully, without first exploring other avenues for resolving these conflicts.

Of the many options available to deal with bullying and bullies, the criminal law is the harshest, most punitive response we can use against anyone, particularly young people, who are still developing and often fighting their own emotional battles.

In our efforts to prevent another Amanda Todd tragedy, we must take care not to be too hasty in the use of our bluntest and most retaliatory weapon, the criminal law.

Currently, we know very little about the London events that have led to the charges against the young women, or the emotional torment of their victim. Reports indicate that a female student was the victim of **emotional, physical, and cyber-bullying** -- all pointing toward another possibly tormented young life.

It may well be that the arrest and criminal charges against those eight girls in London is justified.

It may well be that all other options for dealing with this problem had been explored and tried, to no avail.

But it is equally likely that under pressure to respond forcefully to bullying, the police cast the net too wide and arrested too many people.

Did educators and parents try other, more effective, more empowering means of resolving the problem?

In general, the heavy hand of criminal law is a poor deterrent to most crimes. Its impact can be devastating to the accused and unhelpful to the victim. Worse still, criminally charging the perpetrators may end neither the bullying nor the suffering of the victim. Indeed, the teasing, the

emotional harm, the disenfranchisement and the dislike of the victim may increase, especially if the kids arrested are popular, or if their friends and other community members believe that the accusations or arrests were unjustified or a disproportionate response.

There are alternative, more effective means of preventing and dealing with bullying. These means require the collaboration and involvement of parents, teachers, counselors and community members. They require changes in our habits and an examination of how we, as adults, speak about colleagues and peers. They require changes in our **parenting styles**: What shows we permit our children to watch; whether we talk to them about integrity and courage; whether we emphasize "coolness" over kindness.

Do we, as a community, use supportive processes that encourage accountability by those who have inflicted the hurt? Do we implement and use processes that facilitate communication by the victim, who may feel empowered by the chance to confront her tormentors? Do we search for the possible, underlying problems in the life of the bully that have led him or her to act meanly? Do we look for solutions that can help both the victims and the bullies and will be transformative for everyone?

These measures may appear more time-consuming, but in the end, they are likely to be far more effective than the threat and the risks of criminal charges.

Skip these efforts and immediately charge, criminalize and potentially imprison kids who have engaged in bullying, and we send our children the wrong message: "Your harsh and unforgiving behavior will be met with even harsher and sometimes more draconian consequences."

It's like reacting to a four-year-old's hitting of a friend by spanking the four-year-old. "You are going to hurt someone else? Well, we are going to hurt you even more," we threaten.

Skip the other efforts and we are abdicating our responsibility as parents and as a community, and leaving everything to the heavy hand of the criminal law, which should only and always be used as a last resort.

Additional Resources

Useful Sites:

- <http://psychology.about.com/od/socialpsychology/a/bystandereffect.htm>
- http://greatergood.berkeley.edu/article/item/we_are_all_bystanders
- http://mssangalli.createdebate.com/debate/show/Should_people_who_watch_crimes_happen_and_refuse_to_report_it_be_held_accountable
- http://books.google.ca/books?id=G9r_7uKgXN4C&pg=PA62&lpg=PA62&dq=should+bystander+s+be+held+accountable&source=bl&ots=P0VX5gcrqf&sig=qxf6oPz-zzNaO3SVMsxFbrGyAho&hl=en&sa=X&ei=6BDfUfCBOqOKiAK0sYG4BQ&ved=0CDMQ6AEwATgK-v=onepage&q=should_bystanders_be_hh