

# Research Package #1

(Junior High School – Cross - Examination Style)



**“BIRT the Indian Act in Canada be abolished.”**

**Fall Workshop Topic (Sept. / Oct.) 2011-2012**



# 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' judgement, 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.

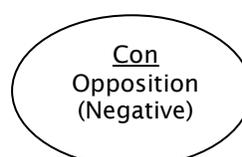
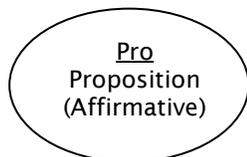
### What is a debate?

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 – **BIRT the Indian Act in Canada be abolished**. 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 about 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 why the Proposition is correct).

Owing to time restrictions, the Proposition duties are normally divided up between the first and second Proposition speakers. It is customary 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

#### **The Indian Act must be abolished to ensure equality for all Canadians**

"Canadians value equality and ensuring that we give opportunities to those that need it most. Yet legislation that was drafted over 135 years ago, in a different time continues to perpetuate inequality between Aboriginal people and the rest of Canadians. The Indian Act gives many rights to Aboriginal people that no other group receives, such as access to hunting and fishing, tax-free products, and free education. Although the rest of Canadians do not directly benefit from these, they do help pay for them through their taxes."

## 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 (the latter should be done sparingly).
- 2) Rebut the Proposition arguments in favor of the resolution.
- 3) Attack the Proposition Plan 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. It is customary 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

#### The Indian Act is necessary to protect Aboriginal culture

"The Indian Act covers many areas that are of distinct cultural significance for the Aboriginal people of Canada. This includes such activities as fishing and hunting which are staples of Aboriginal life. Without special access, laws aimed to address other elements of society could rob the Aboriginal people of an ability to provide for themselves within their cultural norms. Hunting, for example, provides food, income, clothing and tools. Without this act, the Aboriginal people would lose this access, and as a result a part of their culture."

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.

### What are the formats and times of Junior High Cross Examination Debate?

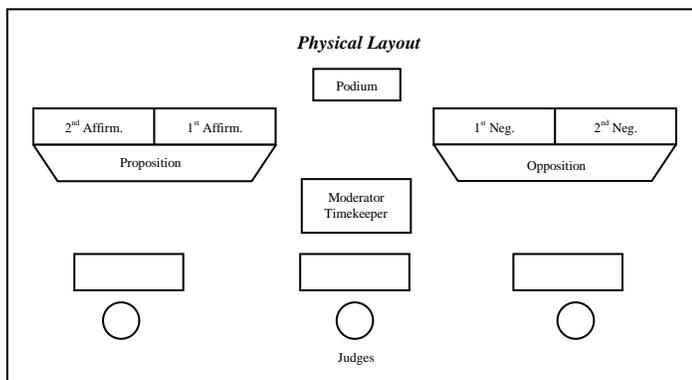
	Beginner	Open
1 <sup>st</sup> Proposition Constructive	5 min	6 min
1 <sup>st</sup> Proposition cross-examined by 2 <sup>nd</sup> Opposition	2 min	3 min
1 <sup>st</sup> Opposition Constructive	5 min	6 min
1 <sup>st</sup> Opposition cross-examined by 1 <sup>st</sup> Proposition	2 min	3 min
2 <sup>nd</sup> Proposition Constructive	5 min	6 min
2 <sup>nd</sup> Proposition cross-examined by 1 <sup>st</sup> Opposition	2 min	3 min
2 <sup>nd</sup> Opposition Constructive	5 min	6 min
2 <sup>nd</sup> Opposition cross-examined by 2 <sup>nd</sup> Proposition	2 min	3 min
Break	5 min	5 min
Rebuttal Speech by 1 <sup>st</sup> Opposition	4 min	4 min
Rebuttal Speech by 1 <sup>st</sup> Proposition	4 min	4 min

Bilingual Junior High	Both Categories
1 <sup>st</sup> Proposition Constructive in French (Definitions in both languages)	6 min
1 <sup>st</sup> Proposition cross-examined by Second Opposition in French	3 min
1 <sup>st</sup> Opposition Constructive in French	6 min
1 <sup>st</sup> Opposition cross-examined by 1 <sup>st</sup> Proposition in French	3 min
2 <sup>nd</sup> Proposition Constructive in French	6 min
2 <sup>nd</sup> Proposition cross-examined by 1 <sup>st</sup> Opposition in French	3 min
2 <sup>nd</sup> Opposition Constructive in French	6 min
2 <sup>nd</sup> Opposition cross-examined by 2 <sup>nd</sup> Proposition in French	3 min
Break	5 min
Rebuttal by 1 <sup>st</sup> Opposition in English	4 min
Rebuttal by 1 <sup>st</sup> Proposition in English	4 min

#### Special notes:

- The first speaker is the Reply speaker, and this never changes.
- Speakers must never interact with their partner while speaking.
- During cross examination, heckling, talking, pulling faces and the like are never tolerated.
- Passing of notes is not acceptable.

### What is the Physical Layout of a debate?



## BIRT the Indian Act in Canada be abolished

Team # 422 ( Bears)  
1<sup>st</sup> Proposition – John Smith  
2<sup>nd</sup> Proposition – James Wright

Team 410 (Moose)  
1<sup>st</sup> Opposition – Henry Dixon  
2<sup>nd</sup> Opposition – Shirley Mace

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. Seated in clear view of both teams is a "chair/timer".

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 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 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 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 hasn't, 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, you will find it important to spend more time than usual on rebuttal; on other occasions, you will need to spend more time explaining your arguments clearly. The most important requirement of internal timing is simply that you spend about 30 seconds on your conclusion, and a few minutes on 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: *you should use all of your 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 stop listening to what you are 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, you need to be aware of time as your speech progresses. When you see the card showing one minute left, you need to finish the point that you are on and start summarizing. When you see the stop card, you need to finish whatever you're on and sit down!

Finally, to decide the winning team and evaluate the individual speakers, an odd number of judges must be present. Having an odd number of judges is necessary in most tournaments 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.

## Values Debate Flow Sheet

### Jr. High – Cross Examination

#### 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.

<b>1<sup>st</sup> Proposition</b> Beg – 5 min, Open – 6 min	<b>Cross X</b> Beg – 2 min, Open – 3 min	<b>1<sup>st</sup> Opposition</b> Beg – 5 min, Open – 6 min	<b>Cross X</b> Beg – 2 min, Open – 3 min	<b>2<sup>nd</sup> Proposition</b> Beg – 5 min, Open – 6 min	<b>Cross X</b> Beg – 2 min, Open – 3 min	<b>2<sup>nd</sup> Opposition</b> Beg – 5 min, Open – 6 min	<b>Cross X</b> Beg – 2 min, Open – 3 min	<b>Break</b> 5 min	<b>Opposition Reply Speech</b> 1 <sup>st</sup> Opposition 4 min	<b>Proposition Reply Speech</b> 1 <sup>st</sup> Proposition 4 min
Introduction	1 <sup>st</sup> Proposition Cross examined by 2 <sup>nd</sup> Opposition	Introduction	1 <sup>st</sup> Opposition Cross examined by 1 <sup>st</sup> Proposition	Introduction	2 <sup>nd</sup> Proposition Cross examined by 1 <sup>st</sup> Opposition	Introduction	2 <sup>nd</sup> Opposition Cross examined by 2 <sup>nd</sup> Proposition	Debaters use this time to work on reply speeches	Both reply speeches summarize their position and point out the basic flaws of the opposition.  No new arguments can be introduced.  Explain why your team should win and the other team should lose.  Remind the judges of your arguments.  Tell the judges why they should believe your arguments even after the other team’s attack.  Explain why the judges should not listen to the other team.  Review critical evidence.	
Definitions		If necessary, attack definitions		Show unity with Caseline		Show unity with Caseline				
Theme/Caseline		Theme/Caseline		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				

# 1<sup>st</sup> Proposition Constructive Speech

**1<sup>st</sup> Proposition Constructive Speech**  
Beg - 5 min.  
Open - 6 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 favour 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 a six minute speech:

- The first minute would contain the introduction and definitions
- The next two minutes would present the first constructive argument
- The following two minutes would present the second constructive argument
- Last minute 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 BIRT the Indian Act in Canada be abolished. It is an issue that is gaining publicity in Canada as we continue to move forward in an ever-equitable fashion. Aboriginal rights should not be treated as an issue of ethnicity, grouping all Aboriginals together into one group, but instead focus on all Canadians alike. As the first speaker, I will define terms, present out model, present a theme, and then offer two arguments in favor of the resolution. My partner will present a further argument in favor on 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 not 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:

Abolishing the Indian Act in Canada will mean that we will get rid of the Act that legislates over Aboriginals in Canada. Rather, they will be governed equally to the rest of Canadians, and subject to its laws, freedoms and opportunities equally to the rest of its citizens. No special access will be given anymore to Aboriginals, such the land for the reserves, hunting and fishing and free education.

Or term by term:

**Abolish - get rid of  
Indian Act - the legislation created in 1876, and later amended several times, that governs over Aboriginals in Canada  
Canada- the country of Canada**

***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/caseline could be:

The Indian Act must be abolished in Canada BECAUSE it does not treat all citizens of Canada equally, instead giving extraordinary privileges to the Aboriginal people of Canada, while the rest of citizenship does not receive these benefits.

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!

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 a six minute speech, leaving two minutes for the definitions and introductions and conclusions, each argument should be about two 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

- There have been many calls for reform by Canadian Prime Ministers to make significant changes to the Indian Act
- The Indian Act perpetuates dependency on the government to sustain Aboriginal people in Canada
- The Indian Act restricts many areas of Aboriginal life, and places strict guidelines over what they can and cannot participate in, and how services must be provided
- Currently self-government does not exist for Aboriginals, and instead the Minister of Aboriginal Affairs carries out and controls most aspects the Act governs
- The Indian Act was established over 135 years ago, and is not relevant to the current needs of Aboriginals
- Every Canadian, despite race and ethnicity should pay equally into services and be provided equal services
- Perpetuates a notion of secondary status for the Aboriginal people and that they need government to control many parts of Aboriginal life such as the reserves, education, etc.
- The growth of Aboriginal rights may be difficult to control and continue, while the rest of Canadians do not get these privileges
- The privileges granted in the Indian Act can infringe upon the rights of others outside the act (i.e. limiting their freedom of mobility) or restrict the government in essential priorities (i.e. hunting rights can be at odds with conservation efforts causing severe problems in wildlife management and preservation)
- The Indian Act provides services to the Aboriginal people that the rest of Canada does not get, such as free education, hunting rights, and other subsidized services
- Métis and Inuit people cannot register and gain status under the Indian Act, and until recently neither could women and children who married outside their band. The act can limit the autonomy of those included within it to make their own life choices lest they be removed from the Act for all other effects
- It costs other Canadian taxpayers money to give the Aboriginal people greater access than they receive themselves
- Due to lack of clarity in the Act, there has been past there has been conflict over land rights, such as the Oka Crisis, that has resulted in violence and damage to property
- The Charter of Rights and Freedoms governs the rest of Canada, and this provides many of the necessary protections that a citizen needs. Removing the Indian Act does not rob Aboriginal people of all their rights, but allows them to be incorporated into the same rights as all peoples of Canada
- The status quo prevents integration into Canadian society, and can be seen as perpetuating social problems

#### **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.

## Cross Examination

In Cross Examination debate – when the 1<sup>st</sup> Proposition speaker has finished his constructive speech, he/she remains standing and says, “I am now open (ready) for cross examination.”

**First Proposition cross-examined by 2<sup>nd</sup> Opposition**  
**Beginner – 2 min.**  
**Open – 3 Min.**



After delivering a constructive speech, each debater is cross-examined by one opponent. You are always cross-examined by the member of the opposite team who is NOT speaking next. Cross-examination is a skill that is often practiced separately from speech-making. Although it is an integral part of cross-examination style debating, it requires special knowledge and strategy.

Have you ever seen an attorney fire questions at a witness in a heated courtroom scene on TV or in a movie? Although usually less thrilling than this artificial replication, cross-examination is essentially just that. In debating, cross-examination is a tool by which a debater attempts to extract damaging admissions from an opponent, thereby exploiting loopholes in the opponents' case while strengthening his/her own claims.

In cross-examination, one debater, like the attorney, asks all the questions. This person is called the *examiner*. The other debater (the one who has just finished delivering a constructive speech) must answer all the examiner's questions and is known as the *witness*.

### Rules for Cross-Examination

- (a) The examiner controls the cross-examination. The respondent should be permitted reasonable - but not unnecessary - time to answer questions.
- (b) The respondent must answer all relevant questions honestly and must not ask questions except to request clarification.
- (c) A debater shall not seek assistance from his partner while asking or answering questions.
- (d) Judges should penalize speech making, irrelevance, flippancy, discourtesy or any attempt to personally discredit an opponent. Judges should also penalize lack of co-operation by a respondent and browbeating and rebutting by an examiner. (Examiners should only ask questions.)
- (e) New contentions and evidence may be introduced during cross-examination.
- (f) The examiner should ask fair, relevant questions. Questions need not directly relate to the speech just delivered but should relate ultimately to the topic at hand.
- (g) **Questions may not be personal** (i.e. Did you vote in the last election?).
- (h) If an irrelevant answer is given to a relevant question, the moderator, on request or on his/her own initiative, should order the respondent to answer the question properly.
- (i) The witness has the right to qualify answers.
- (j) Stay out of each other's space and do not touch each other's materials.

# 1<sup>st</sup> Opposition Constructive Speech

## 1<sup>st</sup> Opposition Constructive Speech

Beg - 5 min.  
Open - 6 min.

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. The internal timing for the 1<sup>st</sup> 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 a six minute speech:

- The first minute and 30 seconds would be used for refutation and rebuilding
- The next two minutes would be used for the first constructive argument
- The next two minutes 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 the Indian Act protects the rights of Aboriginal people in Canada, and must remain intact to ensure the Aboriginal people are given access to services that are specifically required to preserve cultural traditions. As the first speaker, I will outline our theme/case line and present two arguments to oppose this resolution. My partner will present a further argument for opposing as well as indicate other avenues that are available."

### 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:

Abolishing the Indian Act would not just be abolishing the rights of the Aboriginal people of Canada; it would be an end to many preserved aspects of an autonomous way of life. Just because many other citizens in Canada do not need special status and access to services does not mean that we should take away these rights from the Aboriginal people that do.

**5. Rebuttal (clash with Proposition arguments)**

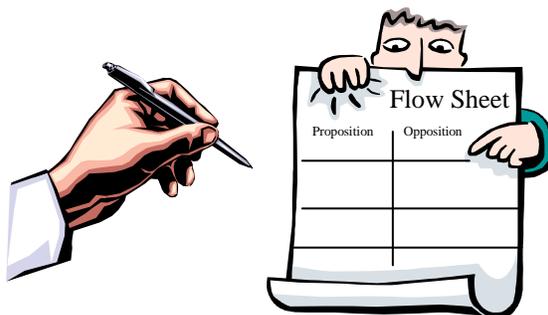
In the rebuttal the debaters must now attack the opponents' arguments. The goal of a debate is to convince the audience that the side of the topic a debater is defending is true. Therefore, a good debater should refute the opposition's case – by rebutting any notion, assertion, argument, example, statistic 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 used in response.
- 3) Make a note of evidence that supports argument that are used.
- 4) This page can be used for the refutation part of the speech.



**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 1<sup>st</sup> 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

- Aboriginal culture is distinct from the rest of Canada, and there must be distinct and targeted legislation to ensure it is protected
- There have already been investigations and changes made to most of the deplorable sections of the treaty – i.e. Truth and Reconciliation Commission which investigates the Rural schools – and precedent to ensure problems in the Act can be resolved
- There is a lack of infrastructure within the Aboriginal communities to cope with the abolition of the Act – services would not be provided in a similar and equitable manner, and it would be difficult to do so without the Act
- Affirmative Action in Canada already mandates that we don't always treat people equally, such as in job placement. So there is an acknowledgement that some groups need to be treated differently because they are targeted as underprivileged. We must continue to give advantages to these minorities or they will fall through the cracks
- 'Citizen's Plus' (Red Paper) was a response to Prime Minister Trudeau's White Paper – a coming to terms with the way we treated the Aboriginal people in the past, and citizenship as being differentiated. This successfully caused the government to change Aboriginal affairs policies
- The Indian Act, and the way of life it allows for, is a piece of our nation's cultural history
- The Indian Act keeps Aboriginal land as collective, rather than individual. This ensures there will be equal opportunity and access for all Aboriginals on the reserve
- The Indian Act continues to protect Aboriginal culture, such as allowing them access to hunt species like the bison that are significant to many aspects of life but not numerous enough to all for such hunting by all Canadians
- In the past, Aboriginal people were treated poorly, such as in the rural schools, so we must right this wrong through granting them special rights
- Abolishing the Act would involve placing the \$1 trillion trust in the hands of the Aboriginals, without any support or aid from the Canadian government – money that could be ill-spent without control by the Canadian government
- The Indian Act provides bargaining power with the federal government as it protects Aboriginal rights, changes to it involve including Aboriginal people in the process
- Abolishing the Indian Act would be viewed as hostile by many of the Aboriginal peoples of Canada. Many of the Aboriginal people do not currently consider themselves part of Canada, but merely a treaty within. There would be social unease and tension. Past events have shown that dissatisfied Aboriginal people can cripple parts of the Canadian economy through strikes and international pressure from allies abroad.

## 8. Conclusion

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

## Cross Examination

In Cross Examination debate - when the 1<sup>st</sup> Opposition has finished his constructive speech, he/she too remains standing and says "I am now open (ready) for cross examination."

**First Opposition is then cross-examined by 1<sup>st</sup> Proposition.**  
**Beginner – 2 min.**  
**Open – 3 Min.**



## 2<sup>nd</sup> Proposition Constructive Speech

**2<sup>nd</sup> Proposition Constructive Speech**  
**Beg – 5 min.**  
**Open – 6 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. The internal timing for the six (6) minute Second Proposition Constructive Speech is three (3) minutes for construction and three (3) for refutation. For example in an six minute speech:

- The first thirty seconds would be used for the introduction
- The next two minutes for refutation of the opposition and rebuilding
- The next two 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 presented to you much compelling evidence about how abolishing the Indian Act would significantly harm the Aboriginal people of Canada. It is my duty to present one further argument in favor of our theme, why abolishing the Indian Act threatens many important cultural rights."

### 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).

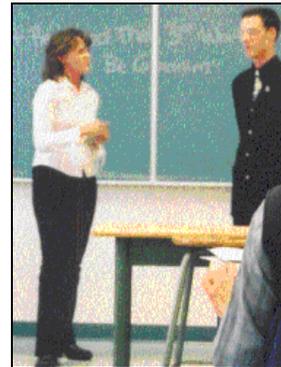
### 5. Conclusion

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.

## Cross Examination

In Cross Examination debate - after 2<sup>nd</sup> Proposition finishes his/her constructive speech, he/she says "I am now ready for cross-examination."

**The 2<sup>nd</sup> Proposition is then cross-examined by 1<sup>st</sup> Opposition.**  
**Beginner – 2 min.**  
**Open – 3 Min.**



## 2<sup>nd</sup> Opposition Constructive Speech

### 2<sup>nd</sup> Opposition Constructive Speech

Beg - 5 min.  
Open - 6 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 four (4) 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 a six minute speech:

- The first thirty seconds is used for an introduction
- The next three minutes would be used for refutation
- The next two 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.
- Deny the supposed benefits of the plan.
- 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.

## Cross Examination

In Cross Examination debate – when the 2<sup>nd</sup> Opposition finishes his/her speech, he/she says “I am not open (ready) for cross-examination.”

**The 2<sup>nd</sup> Opposition is then cross-examined by the 2<sup>nd</sup> Proposition.**  
Beginner – 2 min.  
Open – 3 Min.



## Break (5 min.)

The 5 minute break is the opportunity for both sides to review the debate and focus their ideas for the concluding speeches. A well-developed final speech requires teamwork; so both debaters should be fully involved in contributing ideas.

During this 5 minute break, the judges usually use this time to jot down notes and review their flow sheets. Members of the audience usually chat together and may even leave the room.



## Reply Speeches

Reply Speech by 1<sup>st</sup> Opposition  
(4 min)



Followed by

Reply Speech by 1<sup>st</sup> Proposition  
(4 min)



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*. You can emphasize the reasons that your team won, and you can constructively criticize your opponents’ approach, explaining why they lost.

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

Look for *specific* reasons that your opposition may have lost the debate. For example, your 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, your opposition may have forgotten to rebut one of your arguments – you should keep track of this, because it can be a significant point in your favour.

## 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 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 Jr. High High Cross Examination

Proposition Team code ____			Opposition Team code ____	
Name _____	Name _____		Name _____	Name _____
1 <sup>st</sup> Speaker	2 <sup>nd</sup> Speaker	<b>Criteria for individual evaluation</b> A scale of 1 to 5, 1 is poor and 5 is excellent	1 <sup>st</sup> Speaker	2 <sup>nd</sup> Speaker
1 2 3 4 5	1 2 3 4 5	<b>Organization:</b> The speech should be well structured, logical & coherent, containing and effective introduction and conclusion	1 2 3 4 5	1 2 3 4 5
1 2 3 4 5	1 2 3 4 5	<b>Evidence/Logic:</b> Facts, statistics & authorities offered in support of contentions must be sound. Credit should be given for thorough and relevant research.	1 2 3 4 5	1 2 3 4 5
1 2 3 4 5	1 2 3 4 5	<b>Delivery:</b> Poise quality & use of voice, combined with emphasis, variety and enunciation. Effectiveness and ease of gestures, and eye contact should be assessed.	1 2 3 4 5	1 2 3 4 5
1 2 3 4 5	1 2 3 4 5	<b>Refutation/Clash:</b> The ability to apply logic and evidence in refuting the opponents' contentions while defending your own.	1 2 3 4 5	1 2 3 4 5
1 2 3 4 5	1 2 3 4 5	<b>Format:</b> Does the examiner develop a series of questions which draw admissions? Does the Examiner remain in control? When answering questions, does the witness show an understanding of the issues? Is the witness cooperative?	1 2 3 4 5	1 2 3 4 5
____/25	____/25	<b>Totals</b> (please double check addition)	____/25	____/25

## Cross Examination Scoring Rubric

	1	2	3	4	5
<b>Organization</b> – The speech should contain an effective introduction and conclusion. It should be well structured, logical and coherent. Argumentation and logic should be straightforward and relevant and, as much as possible, strategy and organization should complement each other.	No introduction or statement of resolution	Has an introduction but does not state the resolution.	Introduces the resolution.	Introduction was interesting. Clear statement of resolution.	Introduction grabs your attention. Clear statement of resolution.
	Little sign of organization. Difficult to follow. Little, if any, notes making it impossible to verify information.	Some sign of organization is demonstrated but speech does not flow smoothly. Inadequate notes and unable to find information.	Speech shows some signs of organization. Some weakness in overall flow. Adequate notes but took time to find information.	Well structured and interesting speech. Able to follow the flow. Good notes and information can be retrieved, as needed.	Awesome speech which keenly holds your interest. Logical and easy to follow. Excellent notes and readily accessible information.
	No conclusion	Uncertain conclusion.	Stated conclusion.	Clear conclusion brings closure to the topic.	Effective conclusion convinces you.
<b>Evidence</b> – Facts, statistics, and authorities offered in support of contentions must be sound. Credit should be given for thorough and relevant research.	Does not seem to address the topic. No facts are given to support the topic	Seldom addresses the topic. Few facts are given to support the topic.	Tries to address the topic. Some facts are given to support the topic.	Usually addressed the topic. Uses facts to support the topic.	Always addresses the topic issues. Uses many sound facts to accurately support the topic.
	Contentions are missing or unclear.	Contentions are vague and hardly convincing.	Contentions are clear and plausible.	Contentions are clear, somewhat concise and usually convincing.	Contentions are clear, concisely stated and convincingly.
	No evidence of any research or serious factual errors. Details/examples conflict with the position.	No direct credit given for any research. Details/examples do not contribute to the position.	Credit given for some research. Details/examples have a minor influence in the clarity of the position.	Credit given for most research. Details/examples attempt to add clarity to the position.	Credit given for thorough and relevant research. Details/examples clarify the position.
<b>Delivery</b> – The mechanics of good speech should be faithfully observed throughout. Poise, quality and use of voice, effectiveness and ease of gesture, emphasis, variety, and enunciation should be assessed.	Appeared very nervous and did not use eye contact. No eye contact.	Difficulty with voice control and ineffective gestures. Little eye contact.	Appropriate attempt to control voice and gestures. Some eye contact.	Good control of voice and gestures. Good eye contact.	Excellent control of voice and gestures. Excellent eye contact.
	Limited vocabulary, often repetitive, and somewhat monotone.	Minimal descriptive language with very little tone change.	Some descriptive language with occasional tone change for emphasis.	Some descriptive language presented with good variance of tone.	Very descriptive language presented with varied emphasis.
	Appears very nervous. Bad posture coupled with many distracting movements.	Appears unsure and nervous. Bad posture and a number of distracting movements.	Body language shows control. Good posture but some distracting movements.	Body language exhibits confidence. Good posture with not too many distracting movements.	Appears confident and comfortable at all times. Excellent posture and no distracting movements.
<b>Refutation/Clash</b> – Each speaker should demonstrate an ability to apply evidence and logic in refuting his opponent’s contentions.	No clash	Little clash to show the opposing arguments have been understood.	Clash shows some understanding of the opposing arguments.	Good clash demonstrating an understanding of the opposing arguments.	Clashes are appropriate and show a clear understanding of the opposing arguments.
	No counter-arguments made.	Almost no counter arguments made.	Few effective counter-arguments made.	Some effective counter arguments made.	Many effective counter-arguments are made.
<b>Format: Cross Examination</b> – Has each student demonstrated an ability to develop a series of questions which challenge the witness? Did the examiner remain in control? Did the witness show an understanding of the issues? Was the witness cooperative?	Questioning tactics are very poor. Questioner reads questions, appears to have no goal in mind. Questions are of a simplistic nature. Questioner lost control.	Questioning tactics are fair, but Questioner appears to have no goal in mind. Questions are reasonably phrased. Questioner at times loses control.	Questioning tactics are good but are single and do not form a series. Phrasing of questions is good. Questioner retains control.	Questioning tactics are clear and appear to have purpose in mind. Phrasing of Questions is well done. Questioner keeps questioning on target.	Questioning tactics are excellent. Questions form a series designed to get witnesses to admit contradictions. Questioner knows where he wants questions to lead.
	Witness appeared to have problems answering questions. Often answers were of a one-word variety. Often witness appeared to be hostile and made personal remarks. Examiner dominated questioning process.	Witness appeared to have difficulty answering. Often responses were uncertain and short. At times hesitated in making responses. Examiner took advantage of his uncertainty.	Witness answered questions honestly, courteously and was cooperative. He did not abuse the questioning process.	Witness shows a good understanding of issues. Is cooperative and courteous. Was able to dominate questioning process. Controlled cross examination exchange	Witness shows an excellent understanding of issues. Is always cooperative and courteous. Was able to take over control of questions. Dominated cross examination exchange.
	Speaker is rude, disrespectful, uncooperative, makes personal remarks.	Speaker occasionally shows disrespect & resistance. Appears to make personal remarks	Speaker is courteous and respectful, does not make personal remarks.	Speaker is courteous and cooperative. Does not make personal remarks.	Speaker looks and acts professionally, deliberately refrains from making personal remarks.

## 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: 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’ Reponses

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.**

# 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.

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## The Indian Act

(<http://www.ainc-inac.gc.ca/ai/scr/nt/edu/bzz/nls/ind/index-eng.asp>)

### The Indian Act

The Government of Canada signed [treaties](#) with [Aboriginal peoples](#) throughout most of Canada. Most of these treaties traded Aboriginal ownership of land for treaty rights and reserve land. To make these arrangements in law, Parliament passed the [Indian Act](#) in 1876. The *Indian Act* is significant as it is one of the [federal government's](#) early attempts to protect Aboriginal people's interests through law.

The *Indian Act* distinguishes two groups of [Indian](#) people: those who are registered with the federal government as Indians according to the terms of the *Indian Act* commonly referred to as "status" Indians and those who are not registered, commonly referred to as "non-status" Indians.

The term "[Indian](#)" describes all the [Indigenous](#) people in Canada who are not [Inuit](#) or [Métis](#). INAC typically uses the term "First Nation" instead of "Indian," except in:

- Direct quotations
- Titles of books, works of art, etc.
- History discussions where it is necessary for clarity and accuracy
- Discussions of some legal matters requiring specific terminology
- Discussion of rights and benefits provided on the basis of "Indian [Status](#)"

### Reserves

A [reserve](#) is an area of land set apart for the use and benefit of an Indian [band](#). Some bands have more than one reserve. Many [First Nations](#) now use the term "First Nation Community".

Because there are only two reserves in the NWT, in Hay River and Salt River, sections of the *Indian Act* related to reserve lands have limited effect in the NWT. [Band Councils](#) under the *Indian Act* were also set up in the NWT after Treaty 8 and [Treaty 11](#) were signed.

## ***The Indian Act's Evolution***

In the eyes of many, early versions of the *Indian Act* restricted the lives of Indians in Canada and did not promote equality. But over time, the *Indian Act* has been changed to give Indians more control of their lives. In 1985, Parliament passed [Bill C-31](#), which made changes in the area of membership and registration, particularly to deal with discrimination against women.

Changes are now happening as Aboriginal communities [negotiate self-government](#) agreements. Once a [First Nation](#) establishes new arrangements with the federal and territorial government, the *Indian Act* is no longer in effect. Instead, that First Nation is self-governing. In the NWT, the Tlicho are the first self-governing First Nation.

## **An Aboriginal Perspective**

(<http://www.winnipegfreepress.com/opinion/editorials/abolish-indian-act-prudently-98998489.html>)

Shawn Atleo, national chief of the Assembly of First Nations, believes the Indian Act can be swept away as an historical anachronism within five years, launching a new, more legitimate relationship between Canada's original people and the country. If only it could be done so quickly.

Few politicians in Canada would defend the Indian Act, an antiquated and paternalistic piece of legislation that is an affront to able government and the concept of an empowered electorate. The act is in constant flux as Canadian courts repeatedly find it is ill-suited to the modern, as well as historical, context of Canada's relationship to First Nations. Federal governments continue to pressure band leaders to strengthen their accountability to band members, yet continue to administer the bands under an act that demands every band council resolution -- effectively a bylaw -- however minor, be approved by Ottawa. Mr. Atleo is quite right, the act must go.

But how? Mr. Atleo proposes a joint First Nations-federal working group would strike a plan on a process that would confirm aboriginal rights and titles, and preserve federal funding allowing for new transfer agreements. Band governments would be shepherded through necessary steps to strengthen their administrations. This, Mr. Atleo told the national gathering of chiefs in Winnipeg Tuesday, would eliminate the act, the Indian Affairs Department and the expensive bureaucracy it employs.

The right to self-government was confirmed by the federal government in the mid-1990s, amid a late 20th-century renewal of centuries-old recognitions by the Crown of aboriginal rights. And there is a model for the First Nations aspiration for self-government: In 2003, Westbank First Nation struck a self-government accord with Ottawa that effectively displaced the Indian Act's power over it. Operating under its own constitution, the band remains broadly subject to federal law but it no longer needs the stamp of the Indian Affairs minister on every law or financial transaction it makes.

But self-government -- the ability of an entity to run its own affairs -- demands professional administration and a robust institutional infrastructure. While many of Canada's 600-plus bands are capable, others -- as Manitobans are too keenly aware -- are small, profoundly economically depressed and dogged by social problems that make their reserves all but unviable. How will they spring, fully dressed, into sophisticated, self-governing bodies? Certainly not within Mr. Atleo's time frame.

Mr. Atleo, in his speech, referred to the way the Indian Act has been used to oppress and assimilate First Nations people through the ages. He noted the last attempt was the 2002 Chrétien government's failed First Nations Governance Act, which would have modernized governance on reserve. Chiefs across Canada rose up against the legislation. It is instructive to recall, however, that many reserve residents also rejected the act, out of fear it would transfer too much of Ottawa's power over them to chiefs and councilors.

Many reserves have vastly improved their governance through the 1990s and since. Mr. Atleo's challenge to relegate the Indian Act to history's waste bin is welcome. It must be done with care, unhitched from a hard deadline, so First Nations people are left in a better place.

## **Amending the Indian Act**

<http://www.ainc-inac.gc.ca/ai/mr/nr/m-a2009/nr000000432-eng.asp>

### **Government of Canada Launches Engagement on Amendments to the Registration Provisions of the Indian Act**

Ottawa, Ontario (August 24, 2009) - The Honourable Chuck Strahl, Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, today announced the federal government's engagement plan for the development of legislative amendments to the registration provisions of the *Indian Act* in the wake of the landmark ruling of the Court of Appeal for British Columbia in the *Sharon McIvor* case.

Throughout the late summer and early fall, INAC officials will be meeting with National Aboriginal Organizations and holding engagement sessions across the country. To help in the engagement process, a discussion paper has been developed to explain how the federal government intends to move forward following the *McIvor* decision and to invite views on the approach.

"We have to act swiftly to meet the Court of Appeal's ruling to amend the *Indian Act*," said Minister Strahl. "Over the next few months we will be engaging with willing Aboriginal organizations to both provide information and seek input on a legislative solution to the issue outlined by the decision of the Court of Appeal for British Columbia."

Spurred by a civil lawsuit that Sharon McIvor launched in October 1989, the Court of Appeal for British Columbia ruled on April 6, 2009, that certain registration provisions of the *Indian Act* are unconstitutional as they violate the equality provision of the *Charter of Rights and Freedoms*. The Court suspended its declaration for 12 months – to April 6, 2010 – to give Parliament time to amend the *Indian Act*.

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## Citizens Plus

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([http://www.canadiana.ca/citm/textpups/aboriginals/doc75\\_e.html](http://www.canadiana.ca/citm/textpups/aboriginals/doc75_e.html))

### Citizens Plus, also known as The Red Paper, 1970

#### Document Summary:

This is the Aboriginal response to the federal government's [White Paper](#), 1969.

#### Key Points:

- The legislature and constitutional basis of [Indian](#) status and rights should be maintained until Aboriginals are prepared and willing to renegotiate them.
- The only way to maintain Indian culture is remain as Indians.
- Aboriginals already have access to the same services as other Canadians, plus additional rights and privileges that were established by the [British North America Act](#), various treaties and governmental legislation.
- Only Aboriginals and Aboriginal organizations should be given the resources and responsibility to determine their own priorities and future development lines. The federal government has a distorted view of treaty rights and is not to be trusted on this issue.
- The government wrongly thinks that the Crown owns reserve lands. The Crown merely "holds" such lands, though they belong to Aboriginals. The government also thinks that Aboriginals only can own land in the Old World, European sense of land ownership. Therefore, the Aboriginal peoples should be allowed to control land in a way that respects both their historical and legal rights.
- The [Indian Act](#) should be reviewed, but not repealed. It should only be reviewed when treaty rights issues are settled and if there is a consensus among Aboriginal peoples on such changes regarding their historical and legal rights.
- The Department of Indian and Northern Affairs should cease to exist in its archaic and paternalistic form. A similar federal agency should be established to look more closely at and be more attuned to the needs of the Aboriginal peoples - particularly when it comes to ensuring that treaty and land rights promises are kept.
- Aboriginals reject the appointment of a sole commissioner in a [Royal Commission](#), because he will be appointed by the government itself to protect its interests without Aboriginal consultation. The government, instead, should call an "independent, unbiased, unprejudiced" commission that should have the power to bring any witnesses or documents that it or the Aboriginals wish to present. Its judgments should be legally binding.

## Red Paper and White Paper

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(<http://www.cbc.ca/ideas/episodes/2010/05/27/white-paperred-paper-part-1-listen/>)

In 1969, the government of Canada introduced a White Paper that proposed to eliminate native status. It argued that "the separate legal status of Indians... have kept the Indian people apart from and behind other Canadians." In a dramatic move on Parliament Hill on June 4, 1970, two chiefs rejected it. Meeting with the entire federal cabinet, they presented counter proposals in a document called Citizens Plus, more commonly known as The Red Paper.

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### Resources

#### Useful Sites:

- <http://debatepedia.idebate.org/en/index.php/Debate: Should aboriginals be treated differently under the law%3F>
- <http://www.ainc-inac.gc.ca/index-eng.asp>
- <http://www.ainc-inac.gc.ca/ai/arp/lis/pubs/cp1969/cp1969-eng.asp>
- <http://www.cbc.ca/ideas/episodes/2010/05/27/white-paperred-paper-part-1-listen/>
- <http://www.cbc.ca/ideas/episodes/2010/06/03/white-paperred-paper-part-2-listen/>
- <http://www.youtube.com/watch?v=W9PH94G5KII>