

Research Package #1

JH - "BIRT VIGILANTISM CAN BE JUSTIFIED"
SH - "THBT VIGILANTISM CAN BE JUSTIFIED"



Fall Workshop Topic (September – October)
2015 - 2016

THIS HOUSE BELIEVES THAT VIGILANTISM CAN BE JUSTIFIED

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.

Both Junior and Senior High Debaters should set this motion normatively, you are not proposing that a Government should legalize vigilantism, you are merely attempting to convince the judges of its merits or detriments.

PROPOSITION TEAM

Model/Definitions

Create fair definitions which allow for a good debate to be brought by both sides.

When modelling, consider what types of scenarios you would proclaim vigilante justice to be justified in. Is vigilante justified in all cases? Only cases in which a court has deemed someone guilty, but given them an insufficient punishment? How about in cases where there is a well functioning legal system, like in Canada? Or maybe in places with corrupt or inefficient legal systems, would vigilante justice be justified there?

It is worth considering what your metric for “justified” is. Proving that there is at least one good instance of vigilante justice is not sufficient to win on Proposition, nor can Opposition win by showing at least one bad example of vigilante justice. The debate is about whether on balance, there can be instances in which vigilantism is justified.

What is vigilantism? Vigilante (pronounced Vi-Jill-Ann-Tea) justice is justice undertaken by an individual or organization without any formal legal authority. Typically, it includes acts of violence or retribution against individuals seen as guilty of a crime who've gone unpunished by legal authority. Robin Hood was a vigilante, but so were the Ku Klux Klan. Obviously Proposition are not required to defend the acts of the latter, but recognize there are a wealth of positive and negative examples of vigilantism throughout history to study¹, and merely listing examples back and forth is not sufficient to win on either side of the debate.

Proposition Point/Counterpoint

- 1) The Source of Law/Justice

¹ Many contained in <https://en.wikipedia.org/wiki/Vigilante>

Courts are a good mechanism for resolving issues within society most of the time, but we must consider the source of their authority. The reason we have a government is because we all agree to divest our authority into that body for the purposes of societal management, because the government does good and is effective. If the government was very bad, we would get rid of it and make a new one. When government fails to fulfill its obligations, when say a criminal gets out of punishment due to a loophole, it loses the authority to act in that instance, and private citizens are justified in taking justice into their own hands.

Counterpoint : The divestment of individual authority can't be temporary or fleeting, otherwise any time a court or a parliament did something you personally disagreed with, your case would have us believe we have grounds to launch a coup. The system has primacy in matters of justice, not individuals.

2) The Legal System Makes Mistakes

Sometimes the legal system lets guilty people go, or fails to enforce the law for a variety of reasons. Whether it be political reasons or loopholes, sometimes justice does not get the job done. Why should people fear for their safety from those who aren't apprehended by the system? They should be empowered with the ability to go out and take matters into their own hands.

Counterpoint : When courts make a judgement, they do so for very carefully considered reasons. Mobs of angry citizens aren't able to see the other side, they merely want someone's head on a plate. This leads to bad outcomes and useless violence.

3) Vigilantism can protect people

Oftentimes the justice system is more reactive than proactive, you have to have concrete provable evidence of wrongdoing before you can arrest someone. This means criminals sometimes get away with committing crimes for long periods of time while the police build a case against them! Vigilantism can do away with all that waiting and protect people from dangerous criminals now.

Counterpoint : Legal safeguards intended to protect the innocent exist for a reason, and vigilantism is likely to lead to the punishment of innocent people at least some of the time!

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. (Only disagree if absolutely necessary. These make for messy debates.) 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. It is the custom for the First Opposition Speaker to present two arguments and the second opposition speaker to present the final argument. (This is flexible!)

Opposition Point/Counterpoint

The Opposition constructive points are very similar to the counterpoints written above for proposition, and the counterpoints to those points are extensions of the prop points themselves. Rather than rehashing what's written above in this section, let's discuss some of the themes of this motion briefly. Both sides should answer these questions/themes explicitly or implicitly in their cases. Folding these ideas thematically into your case should leave you with a strong case.

1) What is justice?

What is justice? What makes something just or unjust?

2) Where do we get our idea of justice from?

Is it something we all agree upon collectively, privately? Is it handed down to us by the state? Are all individual ideas of justice legitimate? Who has the final say on what is just, where did we get the answer to 1) and on what authority does that source give us the answer to 1)?

3) Contrast the process of Vigilantism and Law

Law is very procedural, complex, has many safeguards for defendants. Vigilantism not so much. Which one of these approaches is more likely to guide us to justice? Are they both good situationally, or is one always better? Which situation should each approach be used in?

ARTICLES

In past, research packages have provided links to news articles/pieces about the motion or related to the motion. There are many, many, MANY articles available through a Google search related to vigilantism published by reputable news agencies.

When reading for debate, make sure you distinguish between fact based sources and opinion based sources. You need both to make a good debate case - facts you use reinforce arguments, but it's also important to read pieces which argue for or against vigilantism, as they provide you a narrative, potentially a starting point for the rhetoric you will use in your case.

Of particular use would be historical case studies of vigilantism, not just to mention over and over again in the round, but to see what types of processes people undertake historically when they actually engage in vigilantism!