

Synopsis of Problem Areas and Resolutions for 2015-16

PROBLEM AREA I: INCOME INEQUALITY

Resolved: The United States federal government should increase progressive taxation, the federal minimum wage or regulation of predatory lending to substantially decrease income inequality in the United States.

A central philosophical question among economists pertains to the role of government in promoting economic equality. While this is a timeless issue, it has recently returned to the forefront of our political discourse through the Occupy movements that began in 2011 and more recently as a central focus of President Obama's State of the Union Address in 2014. This proposal looks at specific means by which the federal government can address this issue. Possible affirmative cases include the regulation of predatory lending, increases in the federal minimum wage, and a range of tax-related policies, including but not limited to the following: Earned Income Tax Credit, higher income taxes for wealthy Americans, negative income tax, Social Security taxes, capital gains taxes. Possible negative arguments include a defense of the free market system, impacts on job creation, economic competitiveness and business confidence.

PROBLEM AREA II: CRIMINAL JUSTICE

Resolved: The United States federal government should significantly reform its non-military criminal procedure in the areas of grand juries, plea bargaining, admissibility of evidence and/or sentencing.

The federal criminal justice system is anchored by federal criminal procedure. Criminal procedure governs the conduct of criminal trials; it is designed to protect society from criminal perpetrators but also to ensure the constitutional rights of suspects and defendants. While criminal procedure includes numerous elements, the four areas highlighted by the resolution are grand juries, plea bargaining, admissibility of evidence and sentencing. Possible affirmative cases include increased access to attorneys during grand jury proceedings, changes in prosecutorial guidelines for plea bargaining, limiting the admissibility of certain types of evidence (such as evidence gathered by drone surveillance) and increased judge discretion in sentencing. Negative arguments in favor of existing criminal procedures could include efficiency, protection of victims' rights, public safety and facilitating effective law enforcement.

PROBLEM AREA III: IMMIGRATION

Resolved: The United States federal government should substantially increase its legal protection of economic migrants in the United States.

Defenders of immigration reform argue that America is a nation of immigrants and that a progressive immigration policy will strengthen the economy and ensure fundamental fairness. Opponents believe that immigrants take jobs from Americans and threaten public safety. The resolution uses the term “economic migrants” in order to create a distinction from “refugees.” Economic migrants move from one country to another in order to improve the future prospects for themselves and their families, but they are able to return to their country of origin. Refugees are forced to move to save their lives or their freedom. Examples of possible affirmative cases include the following: Providing a path to citizenship for economic migrants already living in the United States, reversing restrictive state laws such as those in Arizona and Georgia, treating economic refugees from Haiti the same as those from Cuba, passing the DREAM Act, providing health care for immigrant families, more generous provision of work permits for immigrants with special skills in medicine or engineering, providing legal representation for detainees, providing food stamps for impoverished immigrant families, managing the current influx of children crossing the border, among others. Negative positions could focus on the economic and employment harms of increased immigration, increased risk of a terrorist attack, federalism positions and the political implications of immigration reform.

PROBLEM AREA IV: SURVEILLANCE

Resolved: The United States federal government should substantially curtail its domestic surveillance.

The controversy between national security objectives and privacy became a hot one for debate since it was disclosed in June of 2013 by former defense contractor Edward Snowden (supported by journalist and former debater Glenn Greenwald) that the NSA is engaging in extensive surveillance inside the United States in order to fight crime and reduce the threat of terrorism. The magnitude of the disclosure shocked many people, including elected representatives, who were unaware of the extent of the surveillance. Many civil rights advocates view the surveillance as an assault on liberty while law enforcement and national security officials see the programs as essential weapons in the war on terror, the fight against nuclear weapons proliferation and the general protection of U.S. national security. Possible affirmative cases include establishing general probable cause and reasonable suspicion requirements, banning the collection of metadata, restricting the collection of email or chat content, limiting the amount of time that information can be stored for, elimination of Section 215 of the Patriot Act and FISA Court reforms as they apply to the domestic arena. Advantages will focus on privacy, totalitarianism, commerce and racism. Negative positions can focus on terrorism, nuclear proliferation, crime and kritiks of reform-based approaches.

PROBLEM AREA V: INDIAN COUNTRY

Resolved: The United States federal government should substantially decrease its authority within Indian Country.

More than five million American Indians and Alaskan Natives reside within the United States – a number constituting 2% of the American population (U.S. Census Bureau, 2011). American Indians and Alaskan Natives live in every state in our union, with 5 U.S. states containing federally recognized tribal reservations or corporations within their boundaries. The links between American Indians and Alaskan Natives and the history of our nation are deeply entwined and the subject of hundreds of thousands, if not millions of pages, of research. This topic will allow affirmative teams to explore the potential benefits of removing federal authority over one or more aspects of life in Indian Country. Possible affirmatives could explore these benefits in one or more areas, including commerce, criminal justice, education, environmental regulation, land use, health and welfare and also the concept of giving Natives total sovereignty. Affirmatives would also be able to explore transitioning from federal to state control, allowing for an exploration of issues like federalism and other state-specific arguments. Negative arguments include disadvantages based on modeling, funding, federalism, rights, sovereignty, movements, funding; critical arguments will include discussions of the image of Native Americans in our society, the concept of federal control, specific language arguments and environmentalism often using literature from native writers. “Indian Country” is a proper legal term used in nearly every legal writing about Native Americans, and a phrase commonly used by tribal councils themselves.