

## The Final Round Decisions

### Adjudicators

Amanda Feller, Portland State, voted Opposition  
Konrad Hack, Point Loma, voted Opposition  
Gary Gillespie, Northwest College, voted Government  
Kevin Jones, Azusa Pacific, voted government  
Robert Klingler, University of Florida, voted Government  
Jim Klumpp, University of Maryland, voted Opposition  
April McClure, Adams State, voted Opposition

### Decisions

*Amanda Feller*  
*Portland State University*

While I cast my ballot for the Opposition in this round, the round was far from a forgone conclusion. I think this is evidenced by the final 3-4 decision. For me the central issue in the debate became the interplay of the resolution, the burden of proof, and fiat power. This "central issue" emerged as the speakers worked with the forms of proof.

The spirit of the resolution asks the question, "should providing a place for people to live, a 'roof over one's head', be a principle that guides governmental policy?" What does that housing include, who provides it, and how does that housing equate with other fundamentals such as food, a life free from torture, etc., are all questions that follow from the spirit of the resolution. These are some of the value and policy questions I bring as a member of the general public to such a debate.

What I heard from the government was in essence a very circular argument that relied upon fiat power. What I heard the government say is that "if we ratify and uphold this UN treaty, we then thereby acknowledge housing as a basic human right." This seemed to translate as, "housing is a right because we declare it so". The Government's position attempted to sidestep the question of value, "why housing should be a right" via fiat power. Even if one were to fiat the ratification of the treaty, ala "let us pretend for a moment that

the treaty was ratified", then we turn to questions of policy raised by the Opposition, "how will this be implemented?", "how much will it cost?", "who's definition of housing", etc. The Government, it seemed, rejected such questions on the basis of fiat power, turning back to the question of value. They seemed to be saying, "this is a debate about ratification of the treaty, not about the details of implementation. If we agree to ratify the treaty, then we de facto agree that housing is a right."

Does the Government speak to the resolution? Does the Government use fiat power appropriately? Does this position fulfill the Government's burden of proof? These were questions that came implicitly or explicitly from the Opposition, questions that remained following the Prime Minister's rebuttal. The Government presented a position that did not engage the interrelationship of value and policy. The Government was unwilling to address critical questions.

While these questions became central in this debate, they emerged from the speakers' approach to the forms of proof. For example, the Member of the Opposition used analogies that effectively clarified a number of points. Conversely, the Member of Government, was reaching for a line of refutation that was not clear in organization or supporting materials. All four speakers needed to present their argumentation and refutation in a more organized fashion. I heard a great deal of line-by-line refutation, which only diffused the argumentation, rather than focusing the debate on key issues. An introduction from each team that identified the philosophy and thesis of each team's position would have been useful. 2-5 main points and more time on conclusions for each speech would have gone a long way in making this a stronger debate. Style conveys content. Organization is key to both. Line-by-line refutation is *not* organization - it is list making.

Overall, I enjoyed the debate and congratulate both teams on reaching finals.

*Konrad Hack*  
*Pt. Loma Nazarene University*

WOW! Finally a great final round at the NPDA National Championships. I will begin by discussing the strengths and weaknesses the debate before I explain my reason for decision (RFD).

Strengths - I see a number of strengths, primarily in terms of structure. It was VERY easy to understand where each argument was applied, and how each argument was impacted in relationship to

RFD:

I am very pleased that this high quality of a debate happened here. I think both teams conceptualize the debate very well, so I will just go to the three voting issues each team discuss. These are very clear summaries of these issues - Here is how I see the final round.

1. Topicality - I really hate to decide the National Title on the "resolutionality" of the government case, but the opposition really does go after this, and so I must look here. I actually spend a LOT of time in this issue. Ultimately, I do think that the Government is right - no answers are given to the Member of Government's analysis as to why housing is a basic human right. Mr. Mathey indicates that housing is tied to life and survival issues. Also, Brian talks about the links to culture and this is also unanswered. Consequently, I look to the case argumentation.
2. Benefits to the plan - There certainly are a plethora of arguments here, but I wind up wondering how MUCH of an increase in shelter/homes would occur if the US would sign. I think Mr. Brodak is very correct in the LOR to extend Mr. Herman's Member of Opposition speech arguments on solvency on contention three, which argues that countries have already either committed or not committed to building homes. It is not clear to me how the signature of the United States causes more homes to be built. I think we might get SOME increase in US prestige, but I don't think it would be noticeable, *vis a vis* Mr. Herman's analysis on Kosovo, Israel, etc.
3. Disadvantages to the plan - Well, these are rather negligible as well, but I do see some costs to the plan. I think Mr. Mathey and Mr. Syrek are right that US Hegemony is non-unique (my term, not theirs) and therefore this voluntary acceptance of the treaty would have already incurred any hegemonic impacts. However, the PMR never addresses the obligations (primarily financial) arguments initiated by Mr. Brodak in the LOC. Consequently, other nations would have to take on these obligations on order to make this happen. I think the Government could ALSO have

argued that this is non-unique, but I do not hear that answer from the government, and I am unwilling to make that argument for them.

With a slight disadvantage to the government plan, and no clear benefits in terms of more houses for children, I vote for the opposition. This was a great final round. For Mr. Mathey, Brodak, and Herman, a GREAT way to end your debate careers.

*Gary Gillespie*  
*Northwest College*

In my opinion, the better debating was done by the Government, representing Creighton University

1. Link to resolution is quite reasonable and justifiable. Resolution asked if housing is a basic human right. The United Nations is often the forum for identifying specific human rights. The Government offering a plan asking that the United States sign a UN document affirming that housing is a basic right seems a direct re-phrasing of the resolution. This plan is almost an ideal interpretation of the resolution. Topicality objections by the Opposition are, therefore, not persuasive. Opposition claims that the document contains other rights -- but this fact does not deny the premise.

2. Opposition argues that the Government does not provide analysis proving that housing is a right. However, Government's case focused on the near consensus support in the United Nations for the measure. This is evidence in favor of recognizing housing as a human right. The fact that a UN document was produced and signed by all members except the US is justification for the resolution. The Opposition, on the other hand, did not provide real world rationale for why the US has refused to sign.

3. Opposition claims that the document will have no practical impact. But, as Government argues, having the US sign on gives the idea that housing is a right much more legitimacy. Not signing by the US sends a signal that housing may not be a right and thus not a priority for the world community. While such a right might lead to building more housing - there is not reason why other services would necessarily be side stepped. Thus, limiting disadvantages to the measure.

4. Opposition disadvantage of making the US hegemonic is refuted by Government's claim that the rest of the UN already accepts the document — so it is not American values that are promoted, but the values of the vast majority of the international community. Opposition does not respond persuasively to this analysis.

5. Opposition failed to clash with a few Government arguments — such as benefits of increased awareness. Signing the document permits the US to be part of future UN policy making in this area. This is a significant benefit justifying US participation and needs Oppositional refutation.

6. This was a very close debate and clearly the finest final round at any of the NPDA championships

*Kevin T. Jones*  
*Azusa Pacific*

Of course, I want to wish both teams a hearty congratulations and MEGA Kudo's for advancing to the final round. This was one of the better final rounds I have witnessed at NPDA in the past several years. While neither team was flawless, both sides presented some great clash and fairly cogent debating. I vote Government but only after some lengthy deliberation and walking through my flow several times. At one time I was leaning heavily toward the Opposition but after looking at what each side gave me to weigh the round, my ballot tipped Government. Allow me to explain why:

The Gov. case was clever and well constructed but fell short in a few areas. The overriding presupposition of the entire case is that it ASSUMES housing to be a basic human right. The proposition claimed that "Housing should be a basic human right" - not that it is. By advocating the UN Declaration on the Rights of a Child should be signed by the US, the Gov. sort of includes housing as a basic human right through the document. Gov. never ever really argues WHY it should be a BHR.

This is where the twist comes in. Pop. finally gets around to pressing this issue but not until rebuttals - which is too little too late. But, at least it now is on the flow and I could go Opp. on this alone and was tempted to. However, where my ballot is tipped is when I look back at case and see that Gov. laid out a value (as much as I hate value

and criteria's in cases that do not need them!) of Cost Benefit Analysis. The Opp. lets this go and never challenges it so I have to use it in the round.

Opp. gives us no off-case, disads, or any type of counter plan for me to use if I do vote Opp. Basically I am asked by the Gov. to ratify this document so we can at least put it on the table and talk about it. Opp says don't do it. Period. Opp needed to provide some sort of alternative for me to evaluate the round or at least some solid disads - tell me all the harms and problems and what horrible apocalyptic things will happen if we do sign this declaration. Opp provides me with none of this. If I vote Opp, then we end up with nothing. If I vote Gov. - which requires me to assume housing is a BHR, at least the issue is on the table and we can do something. In terms of a CBA criteria, something is always better than nothing.

While I was not doing cartwheels over the Gov. case, the way the Opp handled it allowed the Gov. to give me something to work with, put dialogue on the table. Gotta vote Gov.

*Robert D. Klingler*  
*University of Florida*

I feel dirty voting on it, but I'm not willing to interject into the round to make answers for the Opposition. The Member of the Government argues that housing is a basic right because individuals have a right to life and because we have a right to culture. The Member goes on to explain that where you live shapes your culture (and implies that the culture of a person with a house is better than the culture of a homeless person). While these explanations are never well explained by either the Member or the Prime Minister, the Opposition completely drops it in the block. Thus, the Government becomes the only team to directly argue the resolution (as the opposition wants the resolution framed).

If the Opposition had argued that this was a shift in advocacy, culturally imperialistic, or simply a claim without a warrant, it probably would have been enough to sway my ballot. I recognize that this is essentially the same as voting on a dropped Reverse Voting Issue on Topicality, but believe the actions inside the round must determine the outcome. Thus, I vote Government.

I believe the Government is being resolutional. As the Prime Minister explains, the Government is trying to affirm the statement that housing is a basic right. The document states that housing is a basic right. The Government wants to affirm the document. Therefore, the Government equals affirmation of housing as a basic right.

Without this argument, I would resort to cost-benefit analysis. The only benefit the government achieves is an increase in awareness. The Government admits that no new housing will be constructed and that America does not have a problem right now. Furthermore, the Opposition makes a strong argument when they ask how many homes haven't been constructed because the CIA isn't monitoring the agreement. As a cost we have the exportation of morality to other countries. While the Government argues that this has already happened because we helped write the document, the Opposition maintains that just because we forced in the past does not mean that we should the idea now. Neither side does a good job impacting the costs and benefits of the plan, but the opposition does a better job in my opinion. Thus, I would have voted Opposition.

Not in the Round (and thus not part of the decision):

I think the Government is making a huge contradiction that the Opposition NEVER addresses.- Government Premise #1 - The document has no power now, but passing the plan gives it legitimacy and power. Government Premise #2 - The document may be amended to make it illegal in International Law to have an abortion. Government Premise #3 - We've already imposed our moral viewpoint on others by being part of the talks.

If the first premise is true, then an abortion ruling would have no effect on the U.S., and would be just as illegitimate as the rest of the document. Furthermore, the imposition of our moral viewpoint would have no legitimacy. Passing the plan makes any abortion decision apply to the United States and legitimizes our imposition of morals.

Things I would have liked to see:

Better clarification by the Opposition as to what they are advocating... Are you advocating the status quo or a counter plan that passes the Universal Declaration on Child Rights with an exception for the housing rights statement. Better explanation by the Government of

their two reasons why housing is a basic right. I really don't understand them.

An understanding by the Government of why it has not been signed in the Status Quo. One of the justifications for your case is that there is obviously fairground because it hasn't been signed in the status quo. Yet, you can't offer any explanation.

The Government defines housing as a home. Doesn't the term home imply significantly different things from either housing or shelter? What does being a "basic right" mean? The Opposition seems to imply that it obligates governments to provide. Does that mean state housing for everyone? If the U.S. were to sign, could they prevent Ireland from achieving enough votes to add abortion to the document?

That being said, I think both teams did an excellent job and clearly showed why they belong in the final round of the largest debate tournament (of any format) of the year. The combination of humor, line-by-line, and general statements were excellent by all of the participants. Debate terminology (i.e. parametricize) was used sparingly and only when it provided the best explanation of the arguments. I believe this debate emphasized what Parliamentary debate is supposed to be.

*Jim Klumpp*  
*University of Maryland*

This was a final round worthy of a national championship tournament. I was especially impressed with the on-the-feet thinking that was marked by wit and incisiveness.

My vote for the opposition is based on two basic pivots. The first crucial issue was the opposition challenge that the government approach did not leave them with a justification for the topic, that the government position did not justify that housing should be a basic human right. This position was countered by the government with an argument that only the UN Declaration of Children's Rights was a reasonable vehicle for achieving a housing right for children. Both teams could handle this argument more effectively. The opposition never really responds to the idea of the vehicle, but they are correct that the government position does not constitute a justification for the right.

The government never recognizes the opposition's formulation of the challenge as a challenge for justification.

In addition, the government largely drops their vehicle position in favor of the argument that the right has already been established as legitimate by the world's agreement for the Declaration. The opposition's response to this - a mother's favorite argument that everyone doing it does not make it right — is not adequately responded to by the final government speech's position that the approval was not a mistake. In sum, the opposition convinces me that the government has not justified that housing ought be a basic human right.

The other pivot for a decision is the outcome of the cost-benefit analysis proposed by the government as the measure of success and accepted by the opposition. Let me begin with the benefits. The government probably suffers from a confusing organizational pattern in the first speech since it chooses to delineate both harms and benefits that are obverses. But after that first speech most of the benefits are dropped. The loss of legitimacy issue is carried throughout, but the opposition's position that the failure does not even appear on the radar screen of American failures -- essentially a challenge for significance which is only countered with a repetition of the original position — weighs to the opposition. The Irish question is so muddled, even I don't understand it, and even though it is illustration it is the only support for the point. The government waffles on whether the benefit is the commitment or better housing, but never proves that we don't have sufficient housing for children in America now. The government carries the point on validation of reports, but it is dropped in the final summary. The point that the Security Council cannot take up these issues dies late in the debate as well. But I am not certain that I am very convinced that verifying a report and allowing the Security Council to debate is much benefit.

Then we come to costs. The opposition initially argues that there is cost in US hegemony - to the imposing of our values on the world. The government sufficiently counters this argument by noting that we would hardly be shoving this down the throat of a world in which we are the last to adopt. But the opposition's argument that fulfilling such commitments establishes obligations that would skew the distribution of resources in our own country and world-wide is never countered by the government. This becomes a fundamental

challenge because it reemphasizes the lack of justification for the declaring of a right.

Thus, on balance, I have minimal benefits countered by the skewing of resources. That balance favors the opposition.

My congratulations to both teams.

*April McClure*  
*Adams State*

I would like to congratulate both teams for making it to the final round at Nationals. I have judged these individuals in several tournaments in our district and I am so pleased to see them at their very best, my hat is off to you!

Gov.- The case itself was a good idea, but I still think that you needed to really expand the costs and benefits more in order to win the round. You kind of got sucked into the "resolutional link" problem, which then became a partial definitional debate. Let me attempt to pinpoint a few areas that I felt could have saved you in the beginning, had you spent a little more time developing: 1) You say that "children's rights are vital", but you never got into further detail as to how this links back to "housing", thus the resolutional link. If you could have done this better, I think you could have pulled the decision to your side. Not doing so left a loophole in the case. 2) You never stated why the US should take responsibility for children in other countries pushing the extreme need to sign the document. You could have gone further with this argument, but not doing so made it a weak argument. 3) "Pro-life/Pro-choice" is a circular argument with no real solution—take caution when using such arguments. 4) "Children's rights are vital" is a good argument, but you need to tell us why-expand on this and it will also help support your resolutional link. 5) It is also good to cite other situations where the US signed a treatise or document and it secured our "legitimacy" with other countries—doing so will support your "legitimacy" argument, which I felt was a strong point, but not supported as well as it could have been.

Opp- You did a good job pointing out the holes in their case and tearing down weak arguments. I had to agree with the "weak link" argument in the resolution, though I felt the link was there but not strong enough in their definitions. Some of your strongest arguments

were: 1) The resolution covers a lot more than just the children. True- because we are talking about the word "housing" which involves more than just housing. What is the true definition of "house/housing/shelter"? Good strategy. They never justified why housing is a basic human right. 2) "We can't tell other countries (Ireland) what to do." 3) "Other countries have a right to housing without US involvement". Good 4) "If your friends jumped off a cliff..." great example and good use of wit.

It was a fun debate. Both sides were equally matched and seemed to have a good time up there. It is always a pleasure to judge two teams who respect each other but put up a good fight during the debate.