

PROPOSAL FOR DEBATE SOCIETY

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*Welcome
to*
FIU | Law

TOUT D'ABORD, INTRODUCTION

— ACCORDER VOTRE ATTENTION !

“WHY FIU SHOULD SUPPORT A DEBATE TEAM”

The art and skill of legal debate can sharpen valuable skills including many that are essential for a future career as a practicing lawyer. Joining and participating in a legal debate forum can advance impromptu critical thinking ability, skill of persuasion, active listening, ability to work in a team, reasoning, and decision making, to name a few.

Debating is not mootng. Most, if not all, of the Law schools will have moot courts and competitions.

The goal of a debate atmosphere is to make them both serious and playful. Debates can be described as an intellectual sport. As with any sport, on-going practice and participation one will cultivate and sharpen reasoning skills to an optimal professional level. Time commitment will pay dividends.

This type of debating is legal debate and not political debate. Arguments are based on philosophical principles not political manifestos. Debate that transitions into a quasi-political party forum, or any team that prsenets any political arguments or opinion, then the purposes and objectives of legal debate are lost. A debate team that espouses political manifestos, or derogates, in part or in whole, from the purposes and objectives of legal debate, will fail to develop the skills, poise and qualities of mind so fundamental to developing arguments of excellent depth in a legal context.

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A. INTRODUCTION

Debate clubs are not a prevalent aspect of American Law Schools. The exception is Harvard [link others with hyperlinks] [Harvard Debating](#).

Debating is a more refined method of argument that will prepare law students to vocalise argument and rebuttal, with depth and poise for law moots, and additionally, for a career as a lawyer. The debate forum should be conducted by an senior co-ordinator who are experienced law students trained to teach debating. The senior prepares each class in advance and should be supported by mentors who assist each week on a two week cycle.

This ensures that there is consistency, progress and efficient management amongst students and mentors. It further introduces the students to the legal profession as well as an eclectic mix of mentors with various experiences, adding to social skills. Some motion topics may hit a sensitive note with certain individuals (e.g. obesity). The selection of topic is not discriminatory, is not intended to offend or intended to be a forum to cause verbal abuse. The purpose is just to debate—formulating argumentation from different perspectives and dimensions — appreciating an equal burden on both teams to address the motion through substantive arguments and the opponent's arguments through rebuttals.

B. SKILLS AND ABILITIES DEVELOPED



- Actively listening to the opposing arguments and constructing your own arguments in response through rebuttals and points of information;
- Reading and researching when preparing for the debate;

“CONFIDENCE AND SPEAKING. I THINK DEBATING IS AN ARGUMENT TO MAKE A POINT”

- Writing when creating and adapting arguments for debate and during weekly sessions;
- Critical thinking as weekly sessions include discussions on topics to which the students must construct arguments and responses to arguments;
- Verbal reasoning through acquiring information and applying it appropriately in an argument;

- Analytical thinking by (1) evaluating the qualities of data/information for own argument, with recognition of what points support opponents argument. (2) Ability to appraise strengths and weaknesses to own arguments. Sees beyond own arguments and anticipates strongest points opponents will make, and develops rebuttal from appropriate sources.
- Synthesis of Information, with practice, students with ease will be able to analyse vast amounts of information and distil the salient points, and the skill of synthesizing numerous credible sources to form one composite argument.
- IT skills when researching debate topics and statistics/facts for arguments;
- General Knowledge by being able to debate about anything, from current affairs to historical and philosophical ideals, to legal and political or social issues – or on something just for fun, like ice cream.
- Social skills as much of the work involves working in teams and with mentors which improves social interaction skills and teamwork;
- Confidence through speaking to an audience and expressing opinions;

C. DISTINCTIONS BETWEEN MOOTING AND DEBATING

First, mooting. It is an enactment of legal court proceedings forum and, therefore, a much more formal simulation. Generally an extracurricular activity that students participate in, to obtain optimum experience in both written and oral legal argument. To attain any standing within any law firm for purposes of employment, participation is a must. Moreover, it acts as a screening process for Bar/Law school professors and law firms to assess the quality of advocacy of candidates. Those that are identified as talented are chosen by law firms. Therefore, Bar students would develop the requisite mooting skills' by participating in in-house moots, then external competitions subsequently. First, It is mutually beneficial for the student for self-development—to sharpen and refine legal argument abilities and skills to the high standard expected in the practice of law. Second, once achieved, it heightens the prospect of recruited by prospective law firms. They will expect to hear about what mooting competitions a student has participated in, and what successes and awards the student advocate had attained.

Second, Debating. In practice, debating is social and playful in nature. In comparison to mooting, debating is over within one hour. Unfortunately, debating is relegated to high school, not realizing how fundamental it is for the development of legal argument aptitudes. The Lawyer Portal expressed the importance of debating at university with five (5) reasons. One of those reasons was—

BY DEVELOPING YOUR DEBATING AND MOOTING SKILLS AT UNIVERSITY YOU GIVE YOURSELF A HEAD START AND CAN HAVE SOME PRACTICE IN A SAFE ENVIRONMENT WHERE IT DOESN'T REALLY MATTER IF YOU DO WELL. IT'S A GOOD PLACE TO BUILD UP YOUR CONFIDENCE.

DEBATING REQUIRES YOU TO PUT FORWARD ARGUMENTS AND ALSO REBUT THE ARGUMENTS OF YOUR OPPONENTS. IT ALSO REQUIRES YOU TO BE CLEAR AND CONCISE.”^[1]

Debating is preparatory to mooting: to train the mind to formulate, on your feet and without notice, systematic, structured, logical argument. As debaters have short preparation time, one is forced to think quickly to present points that persuasive and intellectually winnable. It is worth emphasizing once again, that debating is not about favouring any one particular political bias or prejudice. It is simply the submission of any

FORMAT AND TIME LIMITS		
ORDER	SPEAKERS	DURATION
PRELIMINARIES	PREPARATION	15 /20 MINUTES
1 ST SPEAKER	PROPOSITION LEAD	5 MINUTES
2 ND SPEAKER	OPPOSITION LEAD	5 MINUTES
3 RD SPEAKER	PROPOSITION JUNIOR	5 MINUTES
4 TH SPEAKER	OPPOSITION JUNIOR	5 MINUTES
1 ST REBUTTAL	PROPOSITION LEAD OR JUNIOR	3 MINUTES
2 ND REBUTTAL	OPPOSITION LEAD OR JUNIOR	3 MINUTES
	ADJUDICATION	

1. “5 Reasons To Take Up Mooting and Debating at Uni”, accessed as at August 21, 2019.

point, in a non-affiliated political party manner, that delivers the best possible way to win the debate.

D. EXAMPLES OF MOTION TOPICS

- “This House would ban zoos”;
- “This House would permit performance enhancing drugs in sport”;
- “This House would have tougher punishments for bullies”;
- “This House believes celebrities are good role models”
- “Make illegal the purchase of contraception from pharmacies that should only available through a GP”;
- “Western countries should boycott the Olympics, unless China intervene to stop the Burmese inhumane regime against its citizens”;
- “Motion to make illegal the formation of a gang, or for any person to associate with or to become part of a gang”;

E. HOW IT ALL WORKS—THE RULES

The topic for debate is the motion. Examples of motions include “This House would reintroduce capital punishment”, “This House would legalise all drugs”. “This House” refers to everyone at the debate, including the speakers, the adjudicators and the audience. A motion will always have arguments on either side: there is no “correct” answer to the controversy.

Two teams, each composed of two debaters. One team of two speak on the proposition (1st proposition and 2nd proposition or opening proposition and closing proposition) and the other team speak on the opposition (1st Opposition and 2nd Opposition or opening opposition and closing opposition). Each speaker in the debate gives a 5 min speech, in a zig-zag order: 1Prop, 1Opp, 2Prop, 2Opp, 3Prop, 3Opp. The first four speeches are called constructive speeches. In these, each team will construct, or build, its arguments. The final two speeches (rebuttals) are summaries in which the debaters make the best case for their

side and eliminate the major points of the other team. New arguments cannot be introduced in the rebuttal speeches.



DEBATE RESOURCES

During preparation time, both debaters may consult internet resources, in order to facilitate the formulation of the best arguments. Preparation time is 20 minutes. Once debate begins, only materials compiled during the preparation period is permitted period. No prepared speeches in a debate.



POINTS OF INFORMATION (POI)

A POI is a request to the speaker to surrender speaking time for a comment or question by the opposing team. The speaker may accept or reject. If accepted, a POI no longer than 15 seconds. The person making the POI must not interrupt the speaker's answer. No follow-up questions or comments unless the speaker agrees. Must accept a minimum of TWO. Not employed as a constant interruption.



RESPONSIBLE HECKLING

Heckling is like applause and shows respect for all participants. The debating forum encourages responsible heckling. Debaters can heckle to applaud teammates and opponents before and after their speeches. Heckling is slapping one's hand on the table 3-4 times. They may also shout "Hear! Hear!" when they agree with a statement, or "Shame!" when they strongly disagree with a statement.



TIME COMMITMENT

The forum should be flexible to enable students to meet course demands that would otherwise preclude attendance. The proposal is to meet weekly on Friday's as to not interfere with scheduled classes. It should be an informal debate that is fun and relaxed, to encourage attendance. Time and venue to be decided.

F. BENEFITS AND BARRIERS

