A Better Society  
—  
Affirmative Case by Nathaniel Van Eeckhout

**Summary**

This case argues that rehabilitating prisoners will ultimately reduce crime and make sure that taxpayers aren’t throwing their money at a correctional system that doesn’t *correct people*.

To run this case well, it will be best to stand by your contentions and the underlying statistics beneath them, rather than playing a value game. If you can get your opponent to quickly agree to your value, you will be in good shape.

Ultimately, it means pounding the recidivism statistics, and standing by the value link of “The Purpose of Justice Systems.” It’s important to make sure that the round stays out in the realm of what is “best for society,” and not necessarily zoomed in on specific cases. In Norway (the main example of rehabilitation in this case), the absolute maximum sentence for a prisoner is 21 years.[[1]](#footnote-1) Rehabilitation may be a reason to give a lenient sentence, but the negative will likely argue that prisoners should still pay a price for their crimes.

But you, as the affirmative, should keep focused on what is best for society as a whole. Criminal statistics stand on your side. And that can be powerful.

The other thing to keep in mind is that for the sake of consistency, this case focuses on the criminal justice systems of just two countries, the U.S. and Norway. It is best to research statistics of a few more systems to keep in your back pocket in case your opponent points that out in cross-examination or in a rebuttal.

A Better Society

Vidor is a 72-year-old prisoner living in Norway. The oldest prisoner at his prison, he is serving his time for double manslaughter. But what could mean countless years locked up in a cell for most prisoners is not the same for Vidor. He happens to live in Norway, one of the few countries in the world that truly value rehabilitation in their justice systems.[[2]](#footnote-2) For him, this means only 15 years in “prison,” but longer if he is not rehabilitated. For him, it means he’ll live in a system that gives him the tools to change and succeed instead of locking him in a cage. For him, it means a chance at redemption.[[3]](#footnote-3)

Because I believe that people deserve a chance to change and that rehabilitation is better for society, I affirm the resolution and stand resolved that **Rehabilitation ought to be valued above retribution in criminal justice systems.**

Before I give you my main points and arguments, I’m going to offer a few key definitions that will help add clarification to the debate round.

# Definitions

**Justice System:** “a series of organizations involved in apprehending, prosecuting, defending, sentencing, and jailing those involved in crimes - including law enforcement, attorneys, judges, courts of law, prisons.”[[4]](#footnote-4)

**Rehabilitation:** “to restore to a condition of good health, ability to work, or the like.”[[5]](#footnote-5)

**Retribution:** “punishment for doing something wrong.”[[6]](#footnote-6)

# Value: Societal Well-Being

Well-being is defined as: “a good or satisfactory condition of existence; a state characterized by health, happiness, and prosperity; welfare.”[[7]](#footnote-7)

So this value is simply “a good or satisfactory condition” for society as a whole.

In the context of the resolution, I’m arguing that we should be weighing this resolution not from what is best for individual parties (that is, prisoners, victims, etc.). Instead, we should be basing this resolution on what it best for society as a whole, including those parties.

## Value Link: Purpose of Justice Systems.

Criminal justice systems exist much more than to just punish people who did wrong. It exists at its core to protect its people and make society as safe as possible. For example, the United Kingdom states the purpose of their criminal justice system is to “…deliver justice for all, by convicting and punishing the guilty and helping them to stop offending, while protecting the innocent.”[[8]](#footnote-8)

This definition includes justice for all, that is, everyone in society. It exists to make society better. It’s for that reason we should look at this resolution on a broad scale and ask which side of the resolution is going to best help society.

# Contention 1. Rehabilitation over Retribution Improves Society

At first glance, this resolution makes us want to use a microscope and focus on individual parties and cases. It seems narrowed to prisoners and victims. But when we examine this resolution we can see that rehabilitation and retribution for criminals affect every member of society, even ones that have never set foot in a court room. Rehabilitation of prisoners *first* benefits society as a whole.

## Application: Recidivism Rates

In criminal justice lingo, recidivism refers to when a person who was punished for criminal behavior relapses back into criminal behavior.[[9]](#footnote-9) In the United States, the recidivism rate is 76.6% within 5 years of release.[[10]](#footnote-10) That’s staggering.

We find that countries that focus more on rehabilitation in their criminal justice systems have much lower rates of recidivism. For example, as mentioned in the beginning of this speech, Norway is a country that values rehabilitation highly in its criminal justice system. They affirm the resolution, focusing on repairing the individual and the damage done by their crime instead, rather than negating the resolution, a focus on punishing the criminal. In Norway the recidivism rate is only 20 percent, one of the lowest rates in the entire world.[[11]](#footnote-11) Beyond this, Norway’s incarceration rate is 75 for 100,000 people. In the United States, it’s 707 per 100,000 people.[[12]](#footnote-12)

This means that as a whole, we see much less crime in a society that focuses on rehabilitation instead of retribution in its criminal justice system. Less people are in prison. And when people come out of prison, they are fixed and do not return to crime. This is a major benefit for any society.

# Contention 2. Retribution over Rehabilitation Harms Society

Focusing on retribution in justice systems has shown that while prisoners may be punished for their crimes, there is a high chance of those prisoners committing the same crime again. Beyond the increase in crime, this also means that taxpayers will have to spend more money on their criminal justice system because people are consistently going back to prison. The United States spends roughly $80 billion per year on incarceration, money that could be spent in better places if so many people weren’t in prison.[[13]](#footnote-13)

While countries that value rehabilitation spend more money per prisoner, the decrease in prisoners lowers tax dollars. It takes $90,000 dollars a year to house a prisoner in Norway, 3 times what is spent in the United States. But since Norway’s prison population is one-tenth of the United States on a per capita rate, Norway spends less money on prisoners.[[14]](#footnote-14) This means that there is more room to spend money on other needs.

# Conclusion

Prisoners need to be punished for their actions, but they need to also be given the tools to change their life so they won’t commit crimes again. We can see from recidivism rates across the world that focusing on rehabilitation works. Most of the time it fixes criminals so they become productive members of society, rather than committing more crime and forcing taxpayers to spend even more money on them. This only manages to help society, and uphold societal well-being.

Thank you.

Negative Brief: A Better Society

One of the first things to do as the negative would be to attack the value link. Improving society is fine, but is the criminal justice system ever supposed to sacrifice justice for the sake of lowering crime? Does this mean that criminals will receive unjust or unfair sentences when they are considered rehabilitated? Punishing the guilty is part of the purpose of the criminal justice system. Are we supposed to sacrifice that? Beyond this, does the criminal justice system actually exist to make society better? Or does it exist for the victims?

Much of this case hinges on the criminal justice systems of the United States and Norway. You can ask the affirmative speaker if he or she has evidence of rehabilitation working in any other systems. If not, there is potential to take advantage of this.

Beyond this, it may be wise to find out if there are other reasons for the low incarceration and recidivism rates in Norway. Correlation does not equal causation.

Another thing you could take advantage of is the affirmative’s definition of retribution. It’s defined as “punishment for doing something wrong.”[[15]](#footnote-15) This definition opens up the possibility that criminals could be given lenient treatment for the sake of making them better under the affirmative side of the resolution.

Overall, it is more than likely best to stick to your case as much as possible and take the route that rehabilitation doesn’t achieve actual justice as well as retribution does.

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2. Sterbenz, Christina. "Why Norway's Prison System Is so Successful." Business Insider. Business Insider, Inc, 11 Dec. 2014. Web. 17 Aug. 2016

   <http://www.businessinsider.com/why-norways-prison-system-is-so-successful-2014-12> [↑](#footnote-ref-2)
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4. "The Definition of Criminal Justice System." Dictionary.com. N.p., n.d. Web. 17 Aug. 2016.

   <http://www.dictionary.com/browse/criminal-justice-system> [↑](#footnote-ref-4)
5. "The Definition of Rehabilitation." Dictionary.com. N.p., n.d. Web. 17 Aug. 2016.

   <http://www.dictionary.com/browse/rehabilitation> [↑](#footnote-ref-5)
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   <http://www.merriam-webster.com/dictionary/retribution> [↑](#footnote-ref-6)
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8. "Criminal Justice System." [ARCHIVED CONTENT] UK Government Web Archive – The National Archives. N.p., n.d. Web. 17 Aug. 2016.

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   <http://www.nij.gov/topics/corrections/recidivism/pages/welcome.aspx> [↑](#footnote-ref-9)
10. "Recidivism." National Institute of Justice. N.p., 17 June 2014. Web. 17 Aug. 2016.

    <http://www.nij.gov/topics/corrections/recidivism/pages/welcome.aspx> [↑](#footnote-ref-10)
11. Ploeg, Gerhard. "Norway's Prisons Are Doing Something Right." The New York Times. N.p., 18 Dec. 2012. Web. 17 Aug. 2016

    <http://www.nytimes.com/roomfordebate/2012/12/18/prison-could-be-productive/norways-prisons-are-doing-something-right> [↑](#footnote-ref-11)
12. Sterbenz, Christina. "Why Norway's Prison System Is so Successful." *Business Insider*. Business Insider, Inc, 11 Dec. 2014. Web. 17 Aug. 2016

    <http://www.businessinsider.com/why-norways-prison-system-is-so-successful-2014-12> [↑](#footnote-ref-12)
13. Picchi, Aimee. "The High Price of Incarceration in America $80 Billion." CBSNews. CBS Interactive, 8 May 2014. Web. 17 Aug. 2016.

    <http://www.cbsnews.com/news/the-high-price-of-americas-incarceration-80-billion/> [↑](#footnote-ref-13)
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