Decreasing Recidivism   
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Affirmative Case by Joseph Abell

**Summary:**

This is a value centric case. Winning your value is essential to winning the round, and that’s why you have three value links at your disposal. Your opponent is likely going to be running justice values against you, so hold onto this.

Justice is typically run in two ways. Generically, and specifically.

Generic justice is the “do good things, be moral and right and fair, etc.” In other words, it isn’t going to add anything to the conversation. To deal with it, go ahead and accept it and run recidivism reduction as the criterion. “Justice is what we’re both here to reach, and that’s why choosing recidivism is so crucial: it tells us when we’ve created a just society vs. one bent on vengeance.”

There are more specific kinds of justice: Such as, justice entails protecting the innocent but also punishing the guilty, returning to them what they inflicted on others. This is where things get tricky, because depending on how they’re running it, versions like this could very well conflict with recidivism. (Such as your opponent arguing that you’re being merciful, and not just.)

Here’s what you come back with: First, if what someone is due is death, but rehabilitation could make them good people who end up helping society, I say go for rehab. Death doesn’t help anyone and most of the time it costs taxpayers tons of money to fund either executions or life-long stays in prison.

Second, justice in terms of punishing the guilty can completely compromise protection of the innocent. Think the transition between WWI and WWII. We punished Germany all over and they blew up into WWII. Likewise, punishing someone with a heavy sentence can often do far more damage than leniency.

In other words, I’m telling you to argue against Justice.

Own your position and don’t apologize or compromise for it. Your position is really simple. If recidivism does more good for humanity than raw punishment, I saw we’d be wise to choose the former. Have fun and remain confident!

Decreasing Recidivism

In the movie *Inception*, the main character Cobb is faced with an emotional dilemma. His father destroyed their relationship, but Cobb now has the resources to deliver payback.

Meeting with his friends, one of them suggests vengeance: to destroy his father’s business as an insult to the old man.

Cobb responds: “No, ‘cause I think positive emotion trumps negative emotion every time. We all yearn for reconciliation, for catharsis.”[[1]](#footnote-1)

And in our criminal justice system, the same attitude should apply. On one hand, it’s easy to be bitter and vindictive to our criminals. As they shuffle away into their cells, and the dingy prison door slams shut behind them, it’s easy to be the one shouting “that’ll teach ‘em.”

But it’s much harder to care if they learn.

So do hard things. And support the resolution with me.

We’ll kick things off with a value…

# Value: Decreasing Recidivism

Recidivism refers to a person’s relapse into criminal behavior.[[2]](#footnote-2)

High recidivism is where most criminals go back into crime after they leave jail.

Low recidivism is where most criminals learn their lesson and leave prison as obedient citizens.

Ideally, we want recidivism to be as low and as decreased as possible. This is the best way to measure our criminal justice system, and I’m going to give you three reasons to prove it.

## Value Link 1: Protects the Innocent

Today’s prisoners are tomorrow’s neighbors. Every year, thousands of those incarcerated will re-enter society. In light of that, we should work to keep the innocent safe for the long term, whether the prison doors are open or closed.

If lawbreakers leave prison without any behavioral changes, they’ll just go right back to harming others like before. Decreasing recidivism ensures that criminals stop being criminals when they integrate back among us—protecting the innocent and ending a vicious cycle.

## Value Link 2: Contributes to Society

Ultimately, it’s the taxpayer that funds the criminal justice system. We pour billions of dollars into it every year, and we should expect that those who leave it give back to the society that paid the price. We want the bad guys to re-enter society as the good guys so that they can help people instead of harm them.

It might be emotionally satisfying to punish people with no desire to change their behavior. We can call vengeance “justice” and pat ourselves on the back.

But even the harshest penalty does nothing to heal the rest of society. Our criminal justice system shouldn’t leave people to rot in a prison cell. It should create citizens that do good for their country. Valuing a decrease in recidivism is the only way to get there.

## Value Link 3: Keeps Our Government Accountable

Specificity is everything. We never tell government agencies to simply “do good things”, we give them detailed tasks and ask them to raise the bar.

Recidivism is the only value that does that because it gives the criminal justice system a detailed measure of success.

Alternatives, like telling our government to “promote justice,” are useless. Our government should work to decrease crime, not simply throw people in concrete blocks and smile back at them with two thumbs up in the air. We need precise standards, not philosophical suggestions.

You should choose between retribution and rehabilitation based on the following question: Which is better at decreasing recidivism?

To follow up on that question, I offer the following two contentions.

# C-1 Retribution Increases Recidivism

In theory, it all makes sense. We make the consequences of crime absolutely horrible, so that no one wants to do it. And while it feels hypothetically sound, this never ends up working in real life.

## Application: The United States

You know North Korea? That super cruel dictatorship that executes you for not maintaining satisfactory back posture in public\*?[[3]](#footnote-3)

Yeah. That one.

We jail more people than them.

We jail more than Russia. And China.

And literally every other country in the world.[[4]](#footnote-4)

We make up 4% of the worlds population but 25% of the world’s prison population.5 We have more jails than we do schools.[[5]](#footnote-5) Many of which, by the way, violate international standards of dehumanization and torture.[[6]](#footnote-6)

We glorify retribution: punishing more people than anyone else, and harder than everyone else. But it’s accomplishing nothing.

The recidivism rate of the US prison population is 76% every half decade. In other words, within 5 years of release, more than three quarters of US prisoners fall back into crime.

Don’t get me wrong: I’m not claiming that our government is to blame for people’s choices. But if three quarters of the time we put people in an institution that fails to influence any change in behavior, we have our work cut out for us. For a developed country like the United States, a 76% failure rate is among the worst in the world. We’re getting our clocks cleaned by the international community because of our insistence on retribution.

And the rest of society is bearing the punishment.

# C-2 Rehabilitation Decreases Recidivism

We’ve wound up with the notion that being tough on crime means being tough on criminals, but the two are not the same thing.

Policies aimed at rehabilitating lawbreakers to be law-abiding citizens see enormous success: and it is time the United States took some notes from across the pond.

## Application: Norway

Unlike our country, the nation of Norway relies on far fewer punitive measures for the guilty. Their prisons are known for being some of the most humane in the world. Inmates are treated as friends, not as animals. They can achieve an education. Learn how to cook. Participate in fitness programs. Their criminal justice system is focused on rehabilitating criminals, instead of delivering payback on their mistakes.[[7]](#footnote-7)

Norway’s approach to criminal justice has been called an “experimental program” yet it’s already achieved massive results. The nation’s recidivism rate dropped to 20% this past year, meaning that unlike the United States, the majority of those leaving Norwegian prisons won’t be back in 5 years.They learn, they grow, and they enter society as truly changed people.

If punishment becomes an end, and not the means to an end, expecting progress is unreasonable. When the job of our criminal justice system is just to slap some wrists as hard as possible, we can expect prisoners to leave their cells angrier than when they came in.

We’re training people to stay criminals, instead of training criminals to become people.

By now, we should know better.

Decreasing Recidivism Negative Brief

This case is value-centric. In other words, it’s insisting that reducing recidivism is the only proper way to evaluate criminal justice systems. You’ll be hard pressed to beat the case without beating the value, so let’s observe two angles to attack it from.

First, you can argue that moral ideals is better than pragmatic use. The case straight up tells you that we should ignore punishment as long as its useful for recidivism. But isn’t this a slap in the face to victims? Take the case of Brock Turner, the Stanford student who raped a woman behind a dumpster, but received only a six-month jail sentence with parole at three (there was a maximum sentence of 14 years for the crime). The judge gave him such a light penalty because he believed the student could be rehabilitated. Maybe he could, but is it truly moral to leave evil unpunished?[[8]](#footnote-8)

Second, talk about recidivism head on. There are two ways to reduce crime: retroactively (going back) and proactively (going forward). Recidivism is retroactive. It goes back to the criminals of the past and makes sure they don’t do it again. And while it might be great at avoiding repeat criminals, it can’t do anything for new criminals. Recidivism rates measure if criminals stop acting as criminals, but they don’t measure the number of times someone chose not to commit a crime because of the disastrous consequences. On the other hand, you can argue that retribution gives us the proactive edge. It sends a giant signal that says “Crime results in punishment! Don’t even think about stealing that thing!” That steps forward and encourages people to not break the law in the first place.

Here’s where that leaves us: We have the argument that the repeat crime of criminals slows down. You have the response that the crime of average citizens slows down. So let’s pull out our scales and do some impact calculus.

Since law abiding citizens outnumber criminals, they have a much greater potential for harm on the public. If we had to choose, a world where 99% of society falls into crime would be far worse than one where the 1% behind bars do the same thing.

As such, we should place a much heavier emphasis on encouraging law abiding citizens to stay law abiding citizens. Repeat crime is bad, but it’s reduction (retroactivity) is not more important than preventing new crime from happening in the first place (proactivity). Argue that, and you can outweigh the value with your own.

1. “Quotes.” IMDb. IMDb.com, n.d. Web. 01 Sept. 2016. <http://www.imdb.com/title/tt1375666/quotes> [↑](#footnote-ref-1)
2. “Recidivism.” National Institute of Justice. N.p., n.d. Web. 01 Sept. 2016. <http://www.nij.gov/topics/corrections/recidivism/pages/welcome.aspx> [↑](#footnote-ref-2)
3. \*Yes. This actually happened. Park, Ju-min. “North Korea Executes Vice Premier For Not Sitting Up Straight, South Korea Says.” The Huffington Post. N.p., 31 Aug. 2016. Web. 31 Aug. 2016. <http://www.huffingtonpost.com/entry/north-korea-executes-vice-premier-for-not-sitting-up-straight_us_57c6c7d8e4b0e60d31dc3939> [↑](#footnote-ref-3)
4. “18 Facts You Need to Know About U.S. Prisons.” Newsweek. N.p., 23 Feb. 2015. Web. 01 Sept. 2016. <http://www.newsweek.com/eighteen-facts-you-need-know-about-us-prisons-308860> [↑](#footnote-ref-4)
5. “Yes, U.S. Locks People up at a Higher Rate than Any Other Country.” Washington Post. The Washington Post, n.d. Web. 01 Sept. 2016. <https://www.washingtonpost.com/news/fact-checker/wp/2015/07/07/yes-u-s-locks-people-up-at-a-higher-rate-than-any-other-country/> [↑](#footnote-ref-5)
6. “Torture in U.S. Prisons.” American Friends Service Committee. N.p., 25 Feb. 2016. Web. 01 Sept. 2016. <http://www.afsc.org/document/torture-us-prisons> [↑](#footnote-ref-6)
7. Sterbenz, Christina. “Why Norway’s Prison System Is so Successful.” Business Insider. Business Insider, Inc, 11 Dec. 2014. Web. 01 Sept. 2016. <http://www.businessinsider.com/why-norways-prison-system-is-so-successful-2014-12> [↑](#footnote-ref-7)
8. This is a strong application against this case. See the letter Turner’s victim wrote about how the rape affected her at <https://www.buzzfeed.com/katiejmbaker/heres-the-powerful-letter-the-stanford-victim-read-to-her-ra?utm_term=.obexzD8OL#.oswOrgVQP>. [↑](#footnote-ref-8)