Positive transformation  
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Affirmative Case by Drew Magness



Insanity is doing the same thing you’ve always been doing but expecting a different result. That’s what arguing for retribution is accomplishing. The main idea of this case is that in order to reform the criminal justice system, we must reform prisoners. Push that idea hard. If you can win that idea, you can win the round.

Your value is important. Fight for it. Make sure you show that positive transformation not only helps prisoners, but since it cuts off crime at the root, it also helps victims. It’s the only surefire way to decrease crime, which helps victims, prisoners and the entire criminal justice system.

The hardest part of the case is the second contention link. You’re going to have to spend a lot of time in rebuttals arguing that rehabilitation actually does positively transform prisoners. Make sure the negative doesn’t bring up examples of criminals that are “too far gone” and therefore we should never use rehabilitation. This is a faulty way of looking at any resolution. Don’t look at the extremes. Look at the majority of criminals. And the majority of criminals aren’t monsters. They’re people. We need to treat them as such.

This case is designed to take away the persuasive momentum of negatives that argue for a pragmatic view of the resolution that looks at how retribution scares criminals away. This case handles those kinds of negatives by saying that they merely put a Band-Aid on the problem while you fix it by getting rid of the root cause of crime itself.

Hammer the point that positive transformation is the only way to actually decrease crime. Everything else is subjective, but if a criminal can be positively transformed, he’s not coming back to jail.

*Editor’s Note: Crimonon is a highly effective rehabilitation program, but its roots originate from Scientology, a well-known cult. Be aware of the potency of this application. You may want to replace it if you feel the application would not fly at your tournament. The negative brief raises the issue as a possible source indictment.*

Positive Transformation

Former Prison Guard Robert Evans warned us in November 2013,

“Prison is crime college. I had a 19-year-old kid in there who went on a joyride in his grandma's car. She called the police, hoping they'd just put him in jail overnight to scare him. But the DA decided to make an example out of him and charged the kid with car theft. Now he's in prison, learning how to steal cars for *real*.”[[1]](#footnote-1)

Our prison system is transformative; but in the worst way possible. It transforms people from civilians who messed up into hardened career criminals. Our prison system needs to positively transform the lives of criminals instead of pushing them onto the path of no return. In order to create positive transformation, we must value rehabilitation over retribution in the criminal justice system.

Before we get really started, let’s make sure we know what we’re talking about by defining two terms.

# Definitions

**Retribution**: According to Oxford dictionaries, retribution is punishment inflicted on someone as vengeance for a wrong or criminal act.[[2]](#footnote-2)

**Rehabilitation:** According to Merriam-Webster, rehabilitation is to teach (a criminal in prison) to live a normal and productive life.[[3]](#footnote-3)

With that out of the way, let’s decide how to choose between retribution and rehabilitation with the value.

# Value: Positive Transformation

Defined as changing a prisoner for the better. Here are two reasons why this is the best way to evaluate the resolution…

## Value Link: Decreases Recidivism

According to the National Institute of Justice,

“Within three years of release, about two-thirds (67.8 percent) of released prisoners were rearrested. Within five years of release, about three-quarters (76.6 percent) of released prisoners were rearrested.”[[4]](#footnote-4)

Recidivism is the biggest problem in our current criminal justice system. Our prison system is a fundamental failure if 75% of criminals are going to return to crime. We need to take advantage of the time criminals spend in prison to positively transform them into productive members of society. This is the only way to decrease recidivism.

## Value Link 2: Breaks the Chain

Crime is passed down through generations. The sad fact is that the children of criminals are much more likely to become criminals than the average child. According to a study by the University of Cambridge,

“The findings demonstrate that children of sporadic and chronic offenders have significantly more convictions than children of non-offenders.”[[5]](#footnote-5)

If we can end one individual’s life of crime, we prevent a generation of criminal activity.

I have two contentions that measure the impact of the value against each side of the resolution.

# Contention 1: Retribution Negatively Transforms

Retribution has one goal, to punish. Here’s the question, does retribution punish well enough to positively transform criminals? Can criminals really be scared straight? According to William R. Kelly, a professor of sociology and the founding director of the Center for Criminology and Criminal Justice Research at The University of Texas at Austin, the evidence says no:

“Contrary to logic, intuition and common sense, the hard fact is that punishment does not reduce criminal offending. This may be a difficult one for some to swallow, especially since the past 45 years and more than $1 trillion have been spent on punishment as the centerpiece of American criminal justice policy. We essentially bet the farm on punishing more and more criminal offenders more and more severely. Unfortunately, we lost the farm. We missed one very important observation. The simple fact is that while punishment works for the most part on those of us who are law abiding, criminal offenders are not us. They lack many of the opportunities, alternatives and options we have. Punishment doesn’t change many of the problems, deficits and impairment that characterize the offender population.”

The U.S. criminal justice system is primarily retributive. The U.S. criminal justice system is also a failure. With only 5% of the world’s population, the US has 25% of the world’s incarcerated. This is failure. Retribution negatively transforms citizens into career criminals. Ever since our system has become primarily retributive, recidivism rates have skyrocketed.[[6]](#footnote-6) Stop the negative transformation.

# Contention 2: Rehabilitation Positively Transforms

Rehabilitative policies change people. Vengeful retribution beats people down and tells them they can never break free from this cycle of pain. Retribution tells people they’re worth it. However, this isn’t some peacenik mumbo-jumbo. The facts agree.

## Application 1: Criminon[[7]](#footnote-7)

Criminon is an effective rehabilitation program that has turned murderous heroin addicts into contributing members of society.

“Criminon eliminates any mystery about the sources of crime and demonstrates that crime has *exact* causes which can be addressed and resolved,” said Joan Lonstein, president of Criminon International. “Success story after success story from criminals rehabilitated by Criminon who do *not* return to crime substantiate these beliefs.”[[8]](#footnote-8)

What are these exact causes? First and foremost, according to the Criminon president, it’s a lack of self-respect that causes criminals to fall down that path.

“Interviewing criminals, one frequently hears words such as, “One day I found I couldn’t trust myself.” When a person can no longer trust himself, he becomes a threat to society and his fellow man.”[[9]](#footnote-9)

Criminon positively transforms criminals by teaching them the why’s and how’s behind ethical and moral behavior. It focuses on learning improvement, communication tools and conditions of life. It teaches criminals to take control of their lives and stop playing victim. And it works.

“Criminon is currently working in over 1700 institutions worldwide. Well over 10,000 inmates have completed a Criminon course.”[[10]](#footnote-10)

Many Criminon grads have gone on to start businesses, and nearly all graduate as productive members of society. This is what happens when we focus on positive transformation of prisoners.

# Conclusion

When we want computers to work, we hit them until they boot up. We shouldn’t treat humans the same way as machines. Positively transforming a prisoner is the only way to decrease crime. Let’s not repeat the failed policies that have treated humans like computers. Let’s focus on changing prisoners, then we’ll change the criminal justice system.

Backup Rebabilitation Application

Positive transformation is not just possible, it actually occurs when we put rehabilitation first in the criminal justice system. Prison Fellowship is a ministry that seeks to recognize the inherent human dignity of prisoners by making sure every prisoner knows their life matters.

“Prison Fellowship staff and volunteers are in hundreds of correctional facilities each day sharing the Gospel, spreading hope, and teaching life-changing classes. Through our evangelism events, we introduce incarcerated men and women to a new future in Christ and nurture their spiritual growth with Bible studies, discipleship courses, and seminary-level classes. We also offer a holistic set of life-skill classes, mentorship opportunities, and reentry programs to prepare prisoners to be leaders in their communities—whether inside or outside of prison. As a result, we are seeing prisoners use their sentences as a time to grow, change, and find a new, positive life path with Prison Fellowship staff and volunteers as their guide.”[[11]](#footnote-11)

Over 26,000 prisoners participate in prison fellowship programs every month with great success. Instead of making these successful rehabilitative programs that positively transform prisoners an exception, let’s make them the rule.

Negative Brief: Positive Transformation

Wreck this value. As a negative, there are almost no cases that can accept the value and win. Show why a positive transformation is unachievable for whatever combination of reasons suits you. Here’s some suggestions:

1. Impossible. Rehabilitation takes far too many resources.
2. Criminals aren’t interested in being transformed, they’re interested in serving their time and getting out.
3. Never worked. In any country that has any form of diversity and large population rehabilitative programs on a large level have failed.

You have to ruin the value because there is just no way that retribution positively transforms convicts. You can’t beat Contention 1, so just beat the value and don’t worry about it. However, you can de-link Contention 2. This way, if the value clash becomes a bit muddy, you can go back to their contention and argue that rehabilitation doesn’t provide positive transformation anyway.

Also be aware of the roots of Criminon, that of Scientology. It is likely that many Christians in NCFCA consider Scientology to be a cult. Originated from L. Ron Hubbard, you could press a source indictment on the case’s main example. Then again, a source indictment against Prison Fellowship — the alternative application provided — could stand, as its founder was a Chuck Colson, a convicted felon in the Watergate Scandal.

But most importantly in this case, shift the ground. Instead of talking about changing prisoners once they’re already in prison, let’s focus on keeping them out of there. Prevent the problem instead of fixing it. This strategy is crucial to beating this case.

1. <http://www.cracked.com/personal-experiences-1256-7-horrifying-things-you-didnt-want-to-know-about-prison.html> [↑](#footnote-ref-1)
2. <https://en.oxforddictionaries.com/definition/retribution> [↑](#footnote-ref-2)
3. <http://www.merriam-webster.com/dictionary/rehabilitate> [↑](#footnote-ref-3)
4. <http://www.nij.gov/topics/corrections/recidivism/pages/welcome.aspx> [↑](#footnote-ref-4)
5. European Journal of Criminology March 2012 vol. 9 no. 2 120-141 <http://euc.sagepub.com/content/9/2/120.abstract#cited-by> [↑](#footnote-ref-5)
6. <http://www.apa.org/monitor/julaug03/rehab.aspx> [↑](#footnote-ref-6)
7. Criminon has admirable results, but they are rooted in Scientology. Consider substituting the Prison Fellowship application at the end of this case. [↑](#footnote-ref-7)
8. <http://www.freedommag.org/english/vol29i1/page30.htm> [↑](#footnote-ref-8)
9. <http://www.freedommag.org/english/vol29i1/page30.htm> [↑](#footnote-ref-9)
10. <http://www.criminon.org/about-us/> [↑](#footnote-ref-10)
11. <https://www.prisonfellowship.org/about/> [↑](#footnote-ref-11)